

PROGRAM OF CONDITIONS AND INSTRUCTIONS
TO GOVERN A COMPETITION

TO BE HELD

FOR THE PURPOSE OF SELECTING AN ARCHITECT

FOR THE

SAN FRANCISCO STATE BUILDING

FOR THE

STATE OF CALIFORNIA

TO BE ERECTED IN THE

CITY AND COUNTY OF SAN FRANCISCO, CALIFORNIA

UNDER THE SUPERVISION

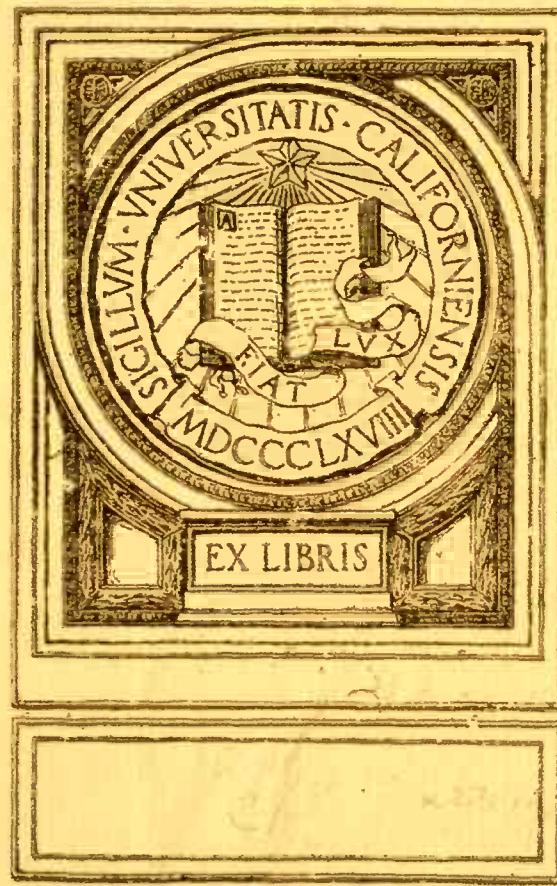
OF THE

DEPARTMENT OF ENGINEERING

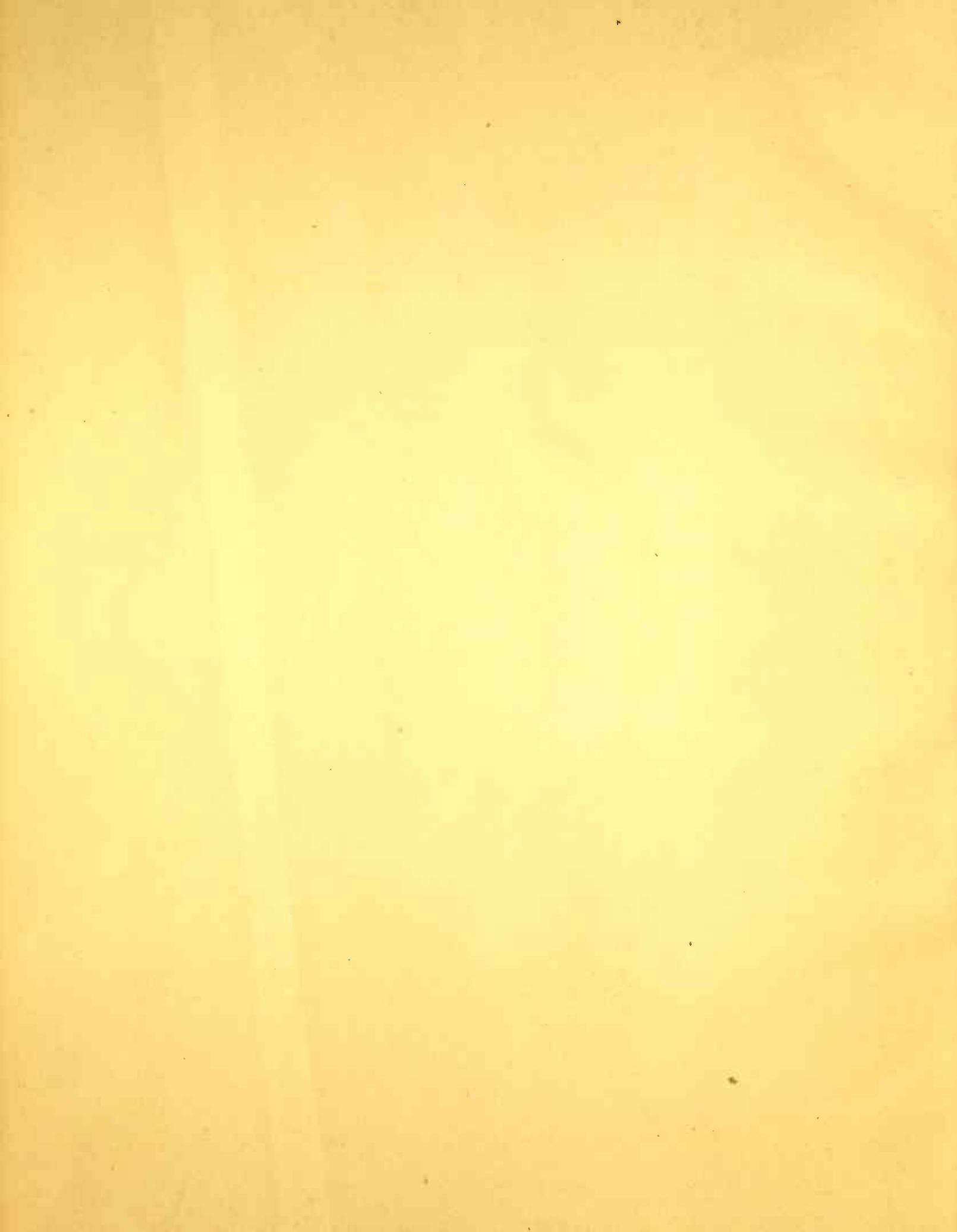
OF THE

STATE OF CALIFORNIA

GIFT OF







Competition Announcement.

The Board of Control of the State of California on the first day of August, 1916, made the following public announcement:

The Board of Control of the State of California announces to the architects of California:

That the people of California have authorized the issuance of bonds to the amount of \$1,000,000.00 for the purpose of constructing, furnishing and equipping the San Francisco State Building, to be located on the Civic Center in the City and County of San Francisco, California; that these bonds have been sold and the money is now available; that the Board of Control has instituted a competition for the selection of an architect to design and supervise the construction of this building.

Section No. 11 of the Department of Engineering law of the State of California, which empowers the Board of Control to institute this competition, provides that the State Architect shall act as architectural advisor in connection therewith.

The competition will be conducted in two stages and is confined to California. The first stage is open to all certificated architects of the State of California who have had the necessary experience, subject to the conditions prescribed in the Program of the competition.

The second stage will be open only to eight architects selected by the Jury from those competing in the first stage.

No competitor shall receive any remuneration unless chosen by the Jury and submitting drawings in the second stage. The Program for this competition is approved by the San Francisco Subcommittee on Competitions of the American Institute of Architects.

Architects desiring to compete must file with George B. McDougall, State Architect, Forum Building, Sacramento, California, a written request for a copy of the Program. On September 1, 1916, copies will be mailed simultaneously to all architects from whom written requests for same have been received. Copies will be mailed to architects making written requests for same after September 1st, at the time of the receipt of such later requests.

(Signed) BOARD OF CONTROL OF THE STATE OF CALIFORNIA.

JOHN FRANCIS NEYLAN, *Chairman.*

PAUL HERRIOTT.

FREEMAN H. BLOODGOOD.

Members of Board of Control.

P. J. TEHANEY, *Secretary.*

Dated, August 1, 1916.

In accordance with this announcement, the following Program, governing a competition for the selection of an architect for the San Francisco State Building, has been adopted.

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ADMISSIONS

Concerning the Department of Engineering of the State of California.

The Department of Engineering was created by an act of the Legislature of the State of California, approved on March 11, 1907.

Section 1 of the contract law of the State Department of Engineering, approved June 8, 1915, provides that "Whenever provision is made by law for the erection, construction, alteration, repair or improvement of any State structure, building, road or other State improvement of any kind, excepting improvements on the property of the State on the water front of the City and County of San Francisco under the jurisdiction of the Board of State Harbor Commissioners, the total cost of which will exceed the sum of \$1,000.00, the same shall be under the sole charge and direct control of the Department of Engineering."

Section 11 of the Department of Engineering law, approved May 19, 1915, is in part as follows: "All architectural work of the Department shall be under the charge of the State Architect. When, however, it shall be deemed to be for the best interests of the State, the Board of Control, with the approval of the Governor, may require and arrange for public competition, and in all such competitions the Board of Control with the approval of the Governor and with the advice of the State Architect, may prescribe the schedule of prizes, the total of which, exclusive of the fee of the winner, shall not exceed one per centum of the amount appropriated for any building. The fee of the successful architect shall not exceed six per centum of the cost of said building."

The Legislature of 1913 passed an act which was approved by the Governor on June 7, 1913, and which provided for the issuance and sale of State bonds to create a fund for the construction, erection, equipment, completion and furnishing of a State building or buildings upon a lot of land in the City and County of San Francisco to be used by the offices and Departments of the State which are located in said City and County of San Francisco, and provided for the submission of this act to the vote of the people. This act of the Legislature was ratified by the people at the general election held in the month of November, A. D. 1914.

The Legislature of 1913 passed an act which was approved by the Governor on June 7, 1913, and which authorized and directed the Department of Engineering of the State of California to construct, erect, equip and furnish the necessary building or buildings upon a lot of land situated in the City and County of San Francisco, for the use and occupancy of the offices and Departments of the State government located in said City and County of San Francisco, out of the proceeds of the sale of bonds to be authorized by the vote of the people. Section 2 of this last mentioned act of the Legislature of 1913 is as follows:

"The plan for the construction of such building or buildings shall be prepared by said Department of Engineering and before any work of construction is commenced thereon, shall be submitted to and approved by a special Commission, consisting of the Governor, the Attorney General and the Chief Justice of the Supreme Court, which said Commission is hereby created for such purpose."

The full text of the Department of Engineering law and of the contract law of the State Department of Engineering, together with the amendments to these laws, also the full text of the two acts of the Legislature of 1913, above referred to, also the architects' license law, are printed immediately following this Program and form an essential part hereof.

The Board of Control, with the approval of the Governor, by virtue of the power vested in it by Section 11 of the Department of Engineering law, has instituted this competition.

The office of the Board of Control is in the State Capitol at Sacramento, California.

As provided by Section 11 of the State Engineering law, the State Architect is architectural advisor to advise the Board of Control in the preparation of this Program and in the conduct of this competition.

The office of the State Architect is in the Forum Building, Sacramento, California.

Concerning the Nature of the Competition.

In conducting this competition, the State desires to put before the architectural profession of California, a Program of conditions that will invite the participation of the ablest members of the profession. At the same time it is deemed necessary to safeguard the competition with certain restrictions, to the end that no appointment as architect of the San Francisco State Building will be made of any competitor until he has demonstrated to the entire satisfaction of the Jury, composed as described in Section 34 hereof, his artistic talent, his integrity and his administrative ability to execute his design should he be selected. To effect this purpose, the competition is held in two stages, the first being for the purpose of eliminating all but eight architects who will be admitted to the second stage.

It is the desire of the Board of Control to secure for the State of California, the best building that can be obtained within the appropriation, considered from the standpoint of adaptability, durability and artistic qualities; therefore, all certificated architects of the State of California who have had the necessary experience are invited to participate in this competition.

Concerning the Site and Present Buildings on the Civic Center.

[For the sake of convenience and clearness, all paragraphs that are mandatory in their nature are printed in black-face type. Failure to comply with all mandatory requirements will preclude any award in favor of the designer so failing.]

One. The building will be erected on the Civic Center in the City and County of San Francisco, California.

Two. The San Francisco City Hall on the west side of the Civic Center and the Auditorium on the south side are complete and in use. The San Francisco Public Library is in course of construction at the northeast corner of the Civic Center. The State Building is to be erected on the north side; the main front will face the south.

Three. A description of the site by metes and bounds is as follows: Beginning at the point of intersection of the northerly line of McAllister Street with the easterly line of Polk Street and running thence northerly along said easterly line of Polk Street one hundred and twenty feet (120' 0") to the point of intersection of said easterly line of Polk Street with the southerly line of Redwood Street (formerly Locust Avenue); and thence at a right angle easterly and along said southerly line of Redwood Street four hundred and twelve feet and six inches (412' 6") to the point of intersection of said southerly line of Redwood Street with the westerly line of Larkin Street; and thence at a right angle southerly and along said westerly line of Larkin Street one hundred and twenty feet (120' 0") to the point of intersection of said westerly line of Larkin Street with the northerly line of McAllister Street; and thence at a right angle westerly and along said northerly line of McAllister Street four hundred and twelve feet and six inches (412' 6") to said point of intersection of said northerly line of McAllister Street with the easterly line of Polk Street, being the point of commencement.

Four. The plot plan of the Civic Center, a bird's-eye view of the completed Civic Center as proposed, also three photographs, one being of the completed City Hall, the second being of the completed Auditorium and the third being of the Public Library in course of construction, also sectional drawings showing the fronts of these three buildings, all of which accompany this Program, form an essential part hereof. The City Hall, the Auditorium and the Public Library are faced on the exterior with California granite.

Five. It is mandatory that the design of the State Building shall be in harmony with the three monumental buildings already constructed or in course of construction on the Civic Center, as above described; the height above grade of the cornice of the State Building must be about seventy feet (70' 0"), which is practically the height of the cornices on the City Hall, the Auditorium and the Library.

Six. Competitors who can conveniently do so, should personally view the Civic Center.

Concerning the General Conditions of the Competition.

Seven. If an association with another architect or firm of architects is contemplated, said association must be formed before plans are submitted and must continue until the completion of the building should the competitor become the winner of first place in this competition.

Eight. Should any design submitted contain an original feature not contained in the drawings of any other competitor, such original feature will not be adopted or made use of in any way except with the author's full consent.

Nine. Should any inquiries for further information concerning the conditions of the Program be found necessary by any competitor, such inquiries must in every case be made by letter sent through the mails to the State Architect, Forum Building, Sacramento, California, and in no other way. These inquiries may be anonymous. All such inquiries with their answers will be copied and simultaneously sent to all competitors by the State Architect. With reference to the first stage, no inquiry bearing a postmark later than October 15, 1916, will be answered; with reference to the second stage, no inquiry bearing a postmark later than January 15, 1917, will be answered. No information will be given in any other manner by the Board of Control or any member thereof, or by the Secretary, or by any member of the Jury or by the State Architect, or by any of his confidential assistants.

Ten. Any competitor who shall seek in any way, directly or indirectly, to influence in his favor any of those in control of this competition, shall forfeit all privileges and rights under this Program.

Eleven. The building shall be of skeleton steel frame construction, fire-resisting, according to the very best practice. All material shall be of the very best quality; the exterior of the building shall be faced on the McAllister Street front and on at least suitable returns on the Polk and Larkin Street fronts with California granite; and preference shall be given to California material and also to California labor, where same of suitable character can be obtained at reasonable market prices.

Twelve. For the purposes of this competition, fifty cents per cubic foot has been determined upon to cover the cost of the construction.

Thirteen. For the purposes of this competition, the San Francisco State Building is not to exceed in cubical contents, 1,800,000 cubic feet. The cubage shall be computed as carefully as possible, showing the actual volume of the building calculated from the finished level or levels of the lowest floor to the mid-height of the roofs, if sloping, and to the highest points of the roofs, if flat and contained within the outside surfaces of the walls. Pilasters, cornices, balconies and other similar projections shall not be included. Porticos with engaged columns and similar projections shall be taken as solids and figured

to the outer face of the column. When columns are free standing, one-half of the volume of the porticos shall be taken. There shall also be included in the cubage, the actual volume of all parapets, dormers, vaults and other features adding to the bulk of the building, also the actual volume of exterior steps above grade. Light wells of an area of less than 400 square feet shall not be deducted.

Fourteen. In calculating cubage, account shall be taken of the variation in the exterior wall surface, as for example, the projection of a basement story beyond the general line of the building.

Fifteen. Any excess of cubical contents above 1,800,000 cubic feet, calculated as above stated, will place the author of the design out of the competition.

Sixteen. The heating plant is already installed in a detached building and shall not be provided for in the State Building.

Seventeen. The relation of the building to the boundary lines of the site is left to the competitors.

Conditions Governing the First Stage of the Competition.

DRAWINGS.

Eighteen. The drawings submitted in this stage shall comprise the following, and no others:

- (A) Plans of all floors. Scale: One-sixteenth inch equals one foot.
- (B) South elevation. Scale: One-sixteenth inch equals one foot.
- (C) Block sections at a scale of thirty-two feet to one inch, clearly defining the method used in computing the cubical contents, showing floor and roof lines but no other interior detail.

Nineteen. No flaps of any description shall be attached to the drawings and no alternate drawings submitted.

Twenty. The drawings shall be on white tracing paper, twenty-five inches by thirty-eight inches (25" x 38") mounted on Whatman of the same size.

Twenty-one. They shall be in line in pencil only, and there shall be no indication of ceiling or floor patterns, furniture or fittings. A single line shall be drawn on the plan next the walls. Sections of all walls shall have a light wash of India ink.

Twenty-two. The elevation shall not be rendered and no shadows shall be cast.

Twenty-three. The names of the various parts of the plans shall be lettered in single-line block letters and each room shall have its total floor area marked in figures.

Twenty-four. A single human figure, six feet tall, shall be shown against the elevation to indicate the scale of the design, but no other accessories of any nature shall be shown.

Twenty-five. Each drawing shall bear the inscription: San Francisco State Building Competition; and also a subtitle specifying the subject of the drawing and the scale to which it is drawn. There shall be no notes or general descriptive matter printed or written on the drawings. The lettering of the inscription and subtitles shall be double-line block letters; all other lettering to be single-line.

Twenty-six. Each sheet shall have a plain border consisting of two single lines and one-fourth of an inch apart; the one-fourth inch space between the lines to be tinted with a light wash of India ink. This border shall show a uniform outside margin of one and one-half inches.

CREDENTIALS.

Twenty-seven. (A) The design submitted by each competitor must be of his own authorship, produced in his office under his personal direction. An affidavit to that effect shall be enclosed in the sealed envelope named below.

(B) A statement shall be furnished giving the education of the competitor, or if there be more than one member in the firm, then of each member, covering the professional school or training in the office of other architects, and travel.

(C) A statement shall be furnished covering the competitor's experience, number of years in independent practice, and a list of buildings, not exceeding five, executed by the competitor.

(D) There shall be furnished a set of contract drawings and specifications for a completed building, erected by the competitor, and two photographs, or reproductions thereof, of buildings executed by the competitor. These photographs must be unframed and not larger than ten by fourteen inches (10" x 14").

INSTRUCTIONS FOR FORWARDING.

Twenty-eight. The drawings must be sent flat, properly protected with stiff board or boards.

Twenty-nine. Drawings called for under the heading "Drawings" shall be without any mark of identification and shall be enclosed in a sealed wrapper, on the outside of which shall be lettered the word "Drawings" and nothing else.

Thirty. The material called for under "Credentials" shall be enclosed in another sealed wrapper, on the outside of which shall be lettered the word "Credentials" and nothing else.

Thirty-one. These two sealed packages shall be accompanied by a sealed, unmarked, opaque envelope enclosing the name and address of the competitor and the affidavit.

Thirty-two. These two sealed packages and the envelope shall be enclosed in a sealed wrapper, unmarked except for the address in typewriting: "STATE BOARD OF CONTROL, SACRAMENTO, CALIFORNIA. SAN FRANCISCO STATE BUILDING COMPETITION."

Thirty-three. The package above described must be delivered by an express company and in no other way, to the office of the Board of Control, not later than November 15, 1916. Each competitor shall deposit his package with the express company as a single consignment.

THE JURY.

Thirty-four. A jury of seven members shall be composed of the Governor, the Chief Justice of the Supreme Court, the Attorney General, the chairman of the State Board of Control and three architects. The three architects shall be selected as follows:

Thirty-five. The San Francisco Subcommittee on Competitions of the American Institute of Architects, on receiving notice from the Board of Control, will nominate five practicing architects, these names to be transmitted to the Board of Control, and from these five names, three will be selected by the Board of Control to be members of the jury of seven. It is expressly required that in making these nominations, the Subcommittee on Competitions shall choose the five names from the membership of the California Chapters of the American Institute of Architects, not more than three names to be selected from either of the two chapters. Should a vacancy occur in the Jury, the Board of Control reserves the right to fill the vacancy.

Thirty-six. Within one week after the date fixed for the receipt of the drawings in the first stage, the Jury and the State Architect will meet and, provided there are present at least a majority of the Jury, will open the sealed packages containing the drawings. Each set of drawings will be given a number, and a corresponding number will be placed upon the accompanying sealed envelope. These envelopes, with the seals unbroken, will then be placed in the hands of the secretary of the Board of Control for safe keeping.

Thirty-seven. The State Architect will assist the Jury and will participate in its deliberations but he shall have no vote.

Thirty-eight. No vote may be taken unless at least two architects, members of the Jury, are present, and no verdict of the Jury can be had except by a majority vote of those present.

Selection of Competitors for the Second Stage.

Thirty-nine. The Jury will select, by the aid of the material submitted, not more than eight of the competitors, who shall be admitted to the second stage.

Forty. The drawings will be judged independently of the material marked "Credentials" and after such judgment of the drawings and the selection of eight sets, the Jury will call upon the Secretary of the Board of Control for the corresponding sealed envelopes, and the sealed envelopes and the credentials shall be opened and each competitor will receive full credit upon all the material submitted. Should the Jury, upon review of the credentials, eliminate any of the drawings selected, then and in that case the Jury shall make a further selection or selections as the case may require.

Forty-one. No competitor will receive any remuneration unless admitted to the second stage. None of the material submitted in the first stage shall be shown to any one except the Board of Control, the Jury, the State Architect and his necessary confidential assistants. Immediately upon the choice of the architects who are to take part in the second stage, all the material will be returned to competitors.

Forty-two. Notice of the decision of the Jury as to its selections will be mailed immediately to those chosen for the second stage.

Conditions Governing the Second Stage of the Competition.

COMPETITORS.

Forty-three. The competitors in the second stage shall be the eight architects selected above, and no others, except that the Jury may fill the place of any architect who fails to undertake the second stage by another who participated in the first stage.

Forty-four. The Department of Engineering will pay the sum of \$1,000.00 to each participant in the second stage except the winner. The compensation of the winner is provided for hereinafter.

Forty-five. All payments to competitors other than the winner shall be made within ten days after the decision of the Jury.

DRAWINGS.

Forty-six. The drawings submitted in this competition shall comprise the following and no other:

- (A) Plans of all floors. Scale: one-sixteenth inch equals one foot.
- (B) South elevation and east elevation. Scale: one-sixteenth inch equals one foot.
- (C) North-south section. West-east section. Scale: one-sixteenth inch equals one foot.
- (D) Block sections at a scale of thirty-two feet to one inch clearly defining the method used in computing the cubical contents, showing floor and roof lines but no other interior detail.

Forty-seven. No flaps of any description shall be attached to the drawings and no alternate drawings submitted.

Forty-eight. The drawings shall be on white, cold pressed Whatman paper twenty-five inches by thirty-eight inches (25" x 38"), and shall not be mounted.

Forty-nine. The drawings, both as to line work and as to wash work, shall be of India ink, and no other color shall be used.

Fifty. On the plans, solid supports and walls shall be shown in full black. Plans shall not show movable furniture, but shall show all fixed furniture and settings. There shall be no rendering nor indications of floor or ceiling patterns.

Fifty-one. The elevations shall have conventional shadows cast from the left at an angle of 45 degrees with the horizontal and vertical planes, and shall be rendered to show clearly the design in every part.

Fifty-two. The sections of solids on the sectional drawings shall be outlined with a heavy line and tinted with a light wash of India ink, but shall not be otherwise rendered.

Fifty-three. The names of the various parts of the plans shall be lettered in single-line block letters and each room shall have its total floor area marked in figures.

Fifty-four. A single human figure, six feet tall, shall be shown against each elevation to indicate the scale of the design, but no other accessories of any nature shall be shown.

Fifty-five. Each drawing shall bear the inscription: San Francisco State Building Competition; and also a subtitle specifying the subject of the drawing and the scale to which it is drawn. There shall be no notes or general descriptive matter printed or written on the drawings. The lettering of the inscription and subtitles shall be double-line block letters; all other lettering to be single line.

Fifty-six. Each sheet shall have a plain border consisting of two single lines and one-fourth of an inch apart; the one-fourth inch space between the lines to be tinted with a light wash of India ink. This border shall show a uniform outside margin of one and one-half inches.

Fifty-seven. Each set of drawings may be accompanied by a typewritten statement on plain white legal cap, describing in not to exceed five hundred (500) words, any points in the design to which their author may desire to call particular attention. Each set of drawings shall be accompanied by a type-written statement on plain white legal cap giving the competitor's estimate of the cubical contents of the building shown in his design. In this descriptive statement, if any, and in the mandatory statement giving estimated cubical contents, any reference to the author must be in the first person plural.

Fifty-eight. Should any design submitted contain an original feature not contained in the drawings of any other competitor, such original feature will not be adopted or made use of in any way except with the author's full consent.

Fifty-nine. The design submitted by each competitor must be of his own authorship, produced in his office under his personal direction. An affidavit to this effect shall be enclosed in the sealed envelope named below. This invitation is not transferable, nor open to a new partnership.

Sixty. No package or set of drawings or typewritten statement or enclosed envelope shall bear any device or motto by which it may be identified. Each set of drawings shall be accompanied by a plain white opaque envelope securely sealed with plain red wax, and bearing no distinguishing mark of any kind, but containing the architect's name, address and affidavit.

Sixty-one. The drawings must be sent flat, properly protected with stiff board or boards.

Sixty-two. Each set of drawings shall be securely wrapped in ordinary detail paper and sealed with plain red wax, and shall bear no marking save a plain white sticker bearing the typewritten inscription: "STATE BOARD OF CONTROL, SACRAMENTO, CALIFORNIA. San Francisco State Building Competition." The package so formed shall be delivered by an express company, and in no other way, to the office of the Board of Control, not later than 12 o'clock M. on February 15, 1917. Each competitor shall deposit his package with the express company as a single consignment.

THE JURY.

Sixty-three. The Jury in the second stage of the competition shall be the same as in the first stage, being constituted as described in and required by sections thirty-four and thirty-five hereof.

Sixty-four. Within one week after the date fixed for the receipt of the drawings in the second stage, the Jury and the State Architect will meet and, provided there are present at least a majority of the Jury, will open the sealed packages containing the drawings. Each set of drawings will be given a number, and a corresponding number will be placed upon the accompanying sealed envelope. These envelopes with the seals unbroken, will then be placed in the hands of the secretary of the Board of Control for safe keeping.

Sixty-five. Immediately thereafter, the Jury will proceed to select drawings which shall conform in all respects to the conditions and requirements of this Program; any drawings not so conforming will be placed out of competition. The State Architect will assist the Jury and will participate in its deliberations, but he shall have no vote.

Sixty-six. The Jury will select from all the drawings conforming in all respects to the conditions and requirements of this Program, the set of drawings that, in their judgment, is best. No vote may be taken unless at least two architects, members of the Jury, are present, and no verdict of the Jury can be had except by a majority vote of those present.

Sixty-seven. After the Jury has made its selection, as provided in section sixty-six, it will call upon the secretary of the Board of Control to deliver to it the sealed envelope which bears the number corresponding to the number on the designs and plans as selected and will recommend the author of such designs and plans as the winner of the competition.

Sixty-eight. Such recommendation of award will be thereafter transmitted to the State Board of Control for final approval.

Sixty-nine. The author of the design so selected by the Jury and approved by the State Board of Control will be appointed architect of the San Francisco State Building on the terms hereinafter provided.

Seventy. No competitor shall have any claim on the Board of Control or on the State other than those already enumerated, and no claims shall be made by any competitor for any fee, percentage, or payment whatever, or for any expense to himself or growing out of his participation, other than as expressly provided for herein.

Seventy-one. A public exhibit of all drawings will be made.

Seventy-two. All drawings, except those of the winner of the first place, will be returned to their authors at the close of the public exhibition, the Board of Control assuming no responsibility in case of drawings lost or damaged in transit.

Seventy-three. Notice of the decision of the Jury as to its award, together with a copy of its report to be made to the Board of Control, giving a full statement of the reasons for the selection of the winning design, will be mailed to each competitor.

Concerning the Contract With Winner.

Seventy-four. The winner of this competition shall enter into a written contract with the Department of Engineering, to be drawn by the Attorney General of California, the terms of which shall be in accordance with the document entitled, "Professional Practice of Architects and Schedule of Proper Minimum Charges" of the American Institute of Architects as revised at the Washington Convention,

December 15 to 17, 1908, a copy of which is hereto attached, as far as said document conforms to the laws of the State of California; provided, however, the compensation of the architect shall be six per cent, based upon the total cost of the building, exclusive of furniture.

Seventy-five. All the work of the Architect of the San Francisco State Building shall be subject to the approval of the State Architect, as the representative of the State Department of Engineering.

Seventy-six. Within ten days of the award, the Architect will be paid \$4,500.00, such payment merging in the entire fee, and thereupon the Architect, in consultation with the Department of Engineering, and with the various State Departments which will occupy the building, shall proceed to modify, redraw and develop the design of the building in the form of completed preliminary studies, and shall furnish a bill of materials and estimate of cost in detail based upon said bill of materials.

Seventy-seven. In case of the abandonment of the work before working drawings are begun, the payment due upon the completion of the preliminary drawings, one-fifth of the total fee less previous payments shall be considered as a final settlement for the services of the Architect. A copy of all drawings shall be furnished to the Department of Engineering.

Seventy-eight. On completion of the work and before the Architect receives his final payment, he shall file with the Department of Engineering, a complete set of blue prints on cloth and a set of specifications, all corrected to represent the building as executed.

Seventy-nine. The Board of Control hereby guarantees that, as an outcome of this competition, the Department of Engineering will enter into a contract as above set forth, with one of the participants in the second stage to design and supervise the work.

Eighty. The Board of Control further distinctly reserves, through the Department of Engineering, the right to remove, at any time, the Architect or Architects, or revoke the commission awarded in the event said Architect (or Architects) to whom it is made proves to be an incompetent, improper or unsatisfactory person, and to annul any contract entered into with him, but such Architect (or Architects) shall receive equitable compensation for the work properly performed up to the time of his removal, the same to be fixed by the Department of Engineering.

Eighty-one. All or any of above settlements shall be in full for all services rendered in connection with this competition, and no claims shall be made by the winner for any fee, percentage, or payment whatever, or for any expense to himself or growing out of his participation, other than as expressly provided for herein.

Eighty-two. The Board of Control reserves the right to require the winner of this competition to furnish, in addition to his drawings, a plaster model of his proposed building; the Department of Engineering to pay, in addition to the above award or percentages, the actual cost of the model and nothing else.

Requirements of the Building.

Eighty-three. The various Departments of the State government will require for their use and proper accommodation, space and rooms of the size indicated by the list and schedule following. This schedule includes private corridors and partition walls required in the several Departments, but does not include public halls, corridors, stairs, elevators, toilets, etc.

Eighty-four. The following provisions are mandatory as to the number of rooms to be provided and also as to the space required except that there may be a total variation of not more than ten per cent from the 80,000 square feet called for; the variation for any one Department to be not more than fifteen

per cent of its specified dimensions; it will be permissible to alter somewhat the sizes given for various rooms.

Eighty-five. Except as otherwise stated in the following list and schedule, the location of the various Departments in the building for the purposes of this competition, is left to the judgment of the competitors.

Eighty-six. Toilet facilities, cloak rooms and vault space, where not given, are left to the discretion of the competitors. Ample provision, however, should be made.

Eighty-seven. The level of the lowest floor may be below the level of the sidewalk grade.

Eighty-eight. The Departments to be accommodated in the building and the spaces they require are as follows:

DEPARTMENT	Square feet	Hearing Rooms—	
Prison Directors	900	Large Room	600 square feet
Industrial Accident Commission	14,000	Small Room	400 square feet
State Immigration and Housing Commission	2,000		1,000 square feet
Bureau Labor Statistics	2,500		
Supreme Court	14,500		
District Court of Appeal	2,800	Medical Department—	500 square feet
Board of Medical Examiners	500	Two Rooms each 250 square feet	150 square feet
Board of Pharmacy	900	Attorney's Office	450 square feet
One General Examination Room	1,000	Permanent Disability Rating Department	
Railroad Commission	19,000	Statistical Department—	
Hastings College of Law	3,500	Office	650 square feet
Attorney General	4,500	Statistician	200 square feet
State Highway Commission	2,000		850 square feet
Sutro Library	10,000	Mining Department—two rooms, each 400 square feet	800 square feet
Motor Vehicle Department	300	Safety Department—eight rooms, each 280 square feet	2,240 square feet
Superintendent of Building	500	Rest Room and Toilet	350 square feet
Governor of State	1,100	Store Room	500 square feet
Branch Post Office		Stenographers	600 square feet
Total	80,000	Filing Room	500 square feet
		Decision Writers	320 square feet

Prison Directors—900 square feet.

Board Room	325 square feet
Office	175 square feet
Private Office	150 square feet
Record Room	75 square feet
Waiting Room	175 square feet

Total 900 square feet

Five directors on the Board. Deputies make report in outer office. The waiting room and office should be so arranged that paroled prisoners may register at the door of the outer office with some degree of privacy.

Industrial Accident Commission—14,000 square feet.

Three Commissioners' Rooms, each 280 square feet	840 square feet
Reception Room (with telephone exchange)	412 square feet
Secretary	280 square feet
General Office	300 square feet
Unassigned office space	2,588 square feet

This space to be divided into two or three large rooms and the balance in offices of approximately 250 square feet.

Hearing Rooms—		
Large Room	600 square feet	
Small Room	400 square feet	
		1,000 square feet
Medical Department—		
Two Rooms each 250 square feet		500 square feet
Attorney's Office		150 square feet
Permanent Disability Rating Department		450 square feet
Statistical Department—		
Office	650 square feet	
Statistician	200 square feet	
		850 square feet
Mining Department—two rooms, each 400 square feet		800 square feet
Safety Department—eight rooms, each 280 square feet		2,240 square feet
Rest Room and Toilet		350 square feet
Store Room		500 square feet
Stenographers		600 square feet
Filing Room		500 square feet
Decision Writers		320 square feet
Insurance Fund Claim Department—		
Adjuster	200 square feet	
Office	640 square feet	
		840 square feet
Insurance Fund Inspection Department—		480 square feet
Total		14,000 square feet

Immigration and Housing Commission, Bureau of Labor Statistics, and Industrial Accident Commission work along similar lines and should be placed in juxtaposition.

State Immigration and Housing Commission—2,000 square feet.

Reception Room	340 square feet
Executive Official	250 square feet
Two Investigators' Offices, each 250 square feet	500 square feet
Stenographers' and Clerks' Room	360 square feet
Store Room (this space may be in basement)	250 square feet
Private Corridor to connect the offices, approximately	300 square feet

Total 2,000 square feet

Bureau of Labor Statistics—2,500 square feet.

Reception and Waiting Room	300 square feet
General Offices, two, each 200 square feet	400 square feet
Private	245 square feet
Statistical Work Room	250 square feet
Library	295 square feet
Three Examination Rooms, each 270 square feet	810 square feet
Agents' Room	200 square feet
Total	2,500 square feet

Supreme Court of California—14,500 square feet.

Rooms should be so planned that public has direct access to Court Rooms and Clerks' office, but entrance to Justices' Chambers, Reporters' offices and Library must be gained only through Bailiff's office. Library should be accessible to Justices of Supreme and Appellate Courts only. Private access to both Supreme and Appellate Court rooms should be provided for the Justices of both courts.

Chief Justice	525 square feet
Six Justices, each 350 square feet	2,100 square feet
Bailiff	490 square feet
Two Reporters, each 270 square feet	540 square feet
Supreme Court Library	2,250 square feet
Private Corridor connecting Justices Chambers, Reporters, Bailiff and Library	600 square feet
Supreme Court Room	2,350 square feet
Clerk's Private Office	360 square feet
Clerk's Work Room	775 square feet
Clerk's File Room	600 square feet
Secretary's Private Office	430 square feet
Secretary's File Room	710 square feet
Five unassigned offices	2,000 square feet
Lobbies, Reception Rooms and Ante Rooms	770 square feet
Total	14,500 square feet

Toilets and Coat Closets to be in connection with Justices' Chambers.

District Court of Appeal—2,800 square feet.

The Appellate Court should be so placed in the plan that the Justices will have direct private access to the Library of the Supreme Court and so that both the Supreme and Appellate Court rooms will be privately accessible to the Justices of both Courts.

Court Room	650 square feet
Three Justices, each 258 square feet	774 square feet
Bailiff	528 square feet
Reporter and Secretary	200 square feet
Clerk's Office	348 square feet
Clerk's Private Office	150 square feet
Private Corridor	150 square feet
Total	2,800 square feet

Board of Medical Examiners—500 square feet.

Reception Room	150 square feet
Public Office	200 square feet
Private Office	150 square feet
Total	500 square feet

Board of Pharmacy—900 square feet.

Reception Room	250 square feet
Record and Clerical Room	250 square feet
Board Room	400 square feet
Total	900 square feet

Railroad Commission—19,000 square feet.

Five Commissioners, each 160 square feet	800 square feet
General Offices	
Reception Room	330 square feet
Telephone Operator	100 square feet
Secretary	270 square feet
Asst. Sec'y	190 square feet
Attorney	230 square feet
Attorney's Sec'y	180 square feet
Ten unassigned offices	each 150 square feet
	1,500 square feet
	2,800 square feet

Court Rooms—

Two Rooms (total)	1,340 square feet
Library	640 square feet

Engineering Department—

Reception Room	130 square feet
Chief Engineer	330 square feet
Asst. Chief Engineer	260 square feet
Record Room	250 square feet
Vault	148 square feet
Eleven offices, each	280 square feet
	3,080 square feet
	4,198 square feet

Hydraulic Department—

Two offices	368 square feet
Gas and Electric	
Five rooms	1,670 square feet

Telephone Department—

Three rooms	570 square feet
Reporting Department	

Reporting Department—

Secretary	235 square feet
Two rooms	700 square feet

	935 square feet
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Stocks and Bonds—

Secretary	220 square feet
Three rooms, each	
234 square feet	702 square feet

Service Department—

Two rooms	462 square feet
Laboratory	253 square feet

Accounting Department—

Three offices	736 square feet
Work Room	700 square feet

	1,436 square feet
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Rate Department—

Chief's Room	300 square feet
Asst. Chief's Room	220 square feet
Three offices, each	

280 square feet	840 square feet
	1,308 square feet

Two Store Rooms, each 320 square feet	640 square feet
Office Files	600 square feet

Grand Total	19,000 square feet
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Hastings College of Law—3,500 square feet.

Three class rooms should be so arranged that they may be thrown together for special lectures or occasions, the group to have ample private lobby or corridor space and arrangements for hanging coats, etc.

Library to have good wall space for book cases.

Registrar to have good wall space for files.

These rooms should be very well lighted.

Class rooms should have class room lighting.

Class Rooms—	
Freshmen -----	860 square feet
Juniors -----	650 square feet
Seniors -----	550 square feet
	2,060 square feet
Library -----	500 square feet
Dean's office -----	250 square feet
Registrar -----	200 square feet
Corridors, private toilets, coat space, etc.-----	490 square feet
	3,500 square feet
Total -----	

Attorney General—4,500 square feet.

Reception Room -----	290 square feet
Attorney General -----	280 square feet
Assistant -----	200 square feet
Chief Deputy -----	220 square feet
Deputy -----	200 square feet
Deputy -----	200 square feet
Deputy -----	200 square feet
Phonographic Reports -----	200 square feet
Clerk -----	330 square feet
Stenographers -----	300 square feet
Service Agent -----	200 square feet
Library -----	880 square feet
Private corridors, toilets, closets, etc.-----	600 square feet
Two rooms unassigned, each 200 square feet	400 square feet
Total -----	4,500 square feet

All rooms should be connected by private corridor.

State Highway Commission—2,000 square feet.

General and Private offices, six rooms, each 150 square feet-----	900 square feet
Drafting Room -----	780 square feet
Storage -----	120 square feet
Private Corridor -----	200 square feet
Total -----	2,000 square feet

Eighty-nine. The State Architect will interpret the meaning of all conditions and provisions of the Program. Should any dispute arise, the Board of Control, after consultation with the State Architect, will finally determine it, and plans are to be submitted with this express understanding.

Approved and signed by the State Board of Control August 1, 1916.

JOHN FRANCIS NEYLAN, *Chairman.*

PAUL HERRIOTT.

FREEMAN H. BLOODGOOD.

Members of Board of Control.

P. J. TEHANEY, *Secretary.*

GEO. B. McDougall, *State Architect.*

This Program of Competition for the San Francisco State Building has received the approval of the San Francisco Subcommittee on Competitions of the American Institute of Architects.

Sutro Library—10,000 square feet.	
Exhibit Room -----	900 square feet
Reading Room -----	1,000 square feet
Cataloging and Staff Room -----	800 square feet
Packing Room for Book Shipment -----	400 square feet
Cameragraph and Photographic Room -----	400 square feet
Office (General) -----	500 square feet
Stack Room -----	6,000 square feet
Total -----	10,000 square feet

The best arrangement of this space would be to have the stack three stories high, each story to be 7' 6" from floor to ceiling, with the reading room and work space on floor above the stacks. By means of book lifts volumes could be brought up without loss of time.

Motor Vehicle Department—300 square feet.

Two rooms, each 150 square feet. **Total** 300 square feet

Superintendent of Building—500 square feet.

One General Office -----	250 square feet
One Supply Room -----	250 square feet
Total -----	500 square feet

Governor of State—1,100 square feet.

Governor's Office -----	300 square feet
Governor's Private Office with toilet and cloak room -----	340 square feet
Secretary -----	220 square feet
Reception Room -----	240 square feet
Total -----	1,100 square feet

Branch Post Office.

Should be so placed as to be connected with main entrance.

The American Institute of Architects

Professional Practice
of Architects



Schedule of Proper
Minimum Charges

1. The Architect's professional services consist of the necessary conferences, the preparation of preliminary studies, working drawings, specifications, large scale and full size detail drawings, and of the general direction and supervision of the work, for which, except as hereinafter mentioned, the minimum charge based upon the total cost* of the work complete, is six per cent.

2. On residential work, alterations to existing buildings, monuments, furniture, decorative and cabinet work and landscape architecture, it is proper to make a higher charge than above indicated.

3. The Architect is entitled to compensation for articles purchased under his direction, even though not designed by him.

4. If an operation is conducted under separate contracts, rather than under a general contract, it is proper to charge a special fee in addition to the charges mentioned elsewhere in this schedule.

5. Where the Architect is not otherwise retained, consultation fees for professional advice are to be paid in proportion to the importance of the question involved and services rendered.

6. Where heating, ventilating, mechanical, structural, electrical and sanitary problems are of such a nature as to require the services of a specialist, the Owner is to pay for such services. Chemical and mechanical tests and surveys, when required, are to be paid for by the Owner.

7. Necessary traveling expenses are to be paid by the Owner.

8. If, after a definite scheme has been approved, changes in drawings, specifications or other documents are required by the Owner; or if the Architect be put to extra labor or expense by the delinquency or insolvency of a contractor, the Architect shall be paid for such additional services and expense.

9. Payments to the Architect are due as his work progresses in the following order: Upon completion of the preliminary studies, one-fifth of the entire fee; upon completion of specifications and general working drawings (exclusive of details), two-fifths additional, the remainder being due from time to time in proportion to the amount of service rendered. Until an actual estimate is received, charges are based upon the proposed cost of the work and payments received are on account of the entire fee.

10. In case of the abandonment or suspension of the work, the basis of settlement is to be as follows: For preliminary studies, a fee in accordance with the character and magnitude of the work; for preliminary studies, specifications and general working drawings (exclusive of details), three-fifths of the fee for complete services.

11. The supervision of an Architect (as distinguished from the continuous personal superintendence which may be secured by the employment of a clerk of the works or superintendent of construction) means such inspection by the Architect or his deputy of work in studios and shops or a building or other work in process of erection, completion or alteration, as he finds necessary to ascertain whether it is being executed in general conformity with his drawings and specifications or directions. He has authority to reject any part of the work which does not so conform and to order its removal and reconstruction. He has authority to act in emergencies that may arise in the course of construction, to order necessary changes, and to define the intent and meaning of the drawings and specifications. On operations where a clerk of the works or superintendent of construction is required, the Architect shall employ such assistance at the Owner's expense.

12. Drawings and specifications, as instruments of service, are the property of the Architect.

*The total cost is to be interpreted as the cost of all materials and labor necessary to complete the work, plus contractors' profits and expenses, as such cost would be if all materials were new and all labor fully paid, at market prices current when the work was ordered.

As revised at the Washington Convention, December 15-17, 1908.

*Office of the Secretary,
THE OCTAGON, WASHINGTON, D. C.
February, 1915.*

CHAPTER 542.

An act to provide for the construction, erection, equipment and furnishing of a building or buildings in the city and county of San Francisco and for the improvement of the grounds thereof for the use and occupancy of the officers and departments of the state government of the State of California located in said city and county of San Francisco, and repealing other acts in conflict herewith.

[Approved June 7, 1913.]

The people of the State of California do enact as follows:

SECTION 1. The department of engineering of the State of California is hereby authorized and directed to construct, erect, equip and furnish the necessary building or buildings upon a lot of land situated in the city and county of San Francisco for the use and occupancy of the officers and departments of the state government located in said city and county, out of the proceeds of the sale of bonds to be authorized by the vote of the people in accordance with that certain act entitled "An act to provide for the issuance and sale of state bonds to create a fund for the construction, erection, equipment, completion and furnishing of a state building or buildings upon a lot of land in the city and county of San Francisco, to be used by the officers and departments of the state which are located in said city and county of San Francisco, which lot of land has been secured from the city and county of San Francisco in exchange for the lot heretofore purchased by the state for said purposes; and to create a sinking fund for the payment of said bonds; and defining the duties of state officers in relation thereto; and making an appropriation of one thousand dollars for the printing and sale of said bonds; and providing for the submission of this act to the vote of the people."

SEC. 2. The plans for the construction of such building or buildings shall be prepared by said department of engineering, and before any work of construction is commenced thereon, shall be submitted to and approved by a special commission consisting of the governor, the attorney general and the chief justice of the supreme court, which said commission is hereby created for such purpose.

SEC. 3. The superintendent of capitol building and grounds is authorized and directed to assume entire supervision over the said building or buildings when the same are finally completed to the satisfaction of said commission and ready for occupancy, and for that purpose may employ such assistants, clerks and employees as may be necessary, the number thereof and the compensation to be paid to each to be subject to the approval of the state board of control.

SEC. 4. This act shall take effect upon the first day of December, 1914, if the act mentioned in section one hereof is approved by the vote of the people, and in such event the act of June 12, 1906, entitled "An act to provide for the selection, location, acquisition and purchase of a site or sites, in the city and county of San Francisco, State of California, for the erection, equipment and furnishing of a building or buildings, and for the improvement of the grounds thereof, for the use and occupancy of the officers and departments of the state government of the State of California maintaining headquarters in said city of San Francisco, and making an appropriation therefor," shall then be repealed and be of no further effect.

CHAPTER 541.

An act to provide for the issuance and sale of state bonds to create a fund for the construction, erection, equipment, completion and furnishing of a state building or buildings upon a lot of land in the city and county of San Francisco, to be used by the officers and departments of the state which are located in said city and county of San Francisco, which lot of land has been secured from the city and county of San Francisco in exchange for the lot heretofore purchased by the state for said purposes; and to create a sinking fund for the payment of said bonds; and defining the duties of state officers in relation thereto; and making an appropriation of one thousand dollars for the printing and sale of said bonds; and providing for the submission of this act to the vote of the people.

[Approved June 7, 1913.]

The people of the State of California do enact as follows:

SECTION 1. For the purpose of providing a fund for the payment of the indebtedness authorized to be incurred by the commission for the construction, erection, equipment, completion and furnishing of a state building or buildings in the city and county of San Francisco as provided in an act entitled "An act to provide for the construction, erection, equipment and furnishing of a building or buildings in the city and county of San Francisco and for the improvement of the grounds thereof for the use and occupancy of the officers and departments of the state government of the State of California located in said city and county of San Francisco, and repealing other acts in conflict herewith," the state treasurer shall, immediately after the issuance of the proclamation of the governor, provided for in section ten hereof, prepare one thousand suitable bonds of the State of California in the denomination of one thousand dollars each, to be numbered from one to one thousand, inclusive, and to bear the date of the second day of July, 1915; the whole issue of said bonds shall not exceed the sum of one million dollars and the said bonds shall bear interest at the rate of four per cent per annum from the time of the issuance thereof, and both principal and interest shall be payable in gold coin of the present standard value and they shall be payable at the office of the state treasurer at the times and in the manner following, to wit: The first twenty of said bonds shall be due and payable on the second day of July, 1916, and twenty of said bonds, in consecutive numerical order, shall be due and payable on the second day of July in each and every year thereafter until and including the second day of July, 1965. The interest accruing on such of said bonds as are sold shall be due and payable at the office of the state treasurer on the second day of January and on the second day of July of each year after the sale of the same; provided, that the first payment of interest shall be made on the second day of January, 1916, on so many of said bonds as may have been theretofore sold. The state treasurer shall, on the second day of July, A. D. 1965, call in, cancel and destroy all bonds not theretofore sold and issued at the date of the maturity thereof. All bonds issued shall be signed by the governor and countersigned by the state controller and shall be endorsed by the state treasurer and the said bonds shall be so signed, countersigned and endorsed by the officers who are in office on the

second day of July, 1915, and each shall have the seal of the State of California stamped thereon. The said bonds so signed, countersigned, endorsed and sealed, as herein provided for, when sold, shall be and constitute a valid and binding obligation upon the State of California, though the sale thereof be made at a date or dates after the persons so signing, countersigning or endorsing, or any of them, shall cease to be the incumbents of said office or offices.

SEC. 2. Interest coupons shall be attached to each of said bonds so that such coupons may be detached without injury to or mutilation of the bond. Said coupons shall be consecutively numbered, and shall be signed by the state treasurer. But no interest on any of said bonds shall be paid for any time which may intervene between the date of any of said bonds, and the issue and sale thereof to a purchaser.

SEC. 3. The sum of one thousand dollars is hereby appropriated to pay the expenses that may be incurred by the state treasurer in the printing and sale of said bonds. Said amount shall be paid out of the general fund on the state controller's warrants duly drawn for that purpose.

SEC. 4. When the bonds authorized to be issued under this act shall be duly executed, they shall be sold by the state treasurer at public auction to the highest bidder for cash, in such parcels and numbers as said state treasurer shall determine; but said treasurer must reject any and all bids for said bonds or for any of them, which shall be below the par value of said bonds so offered for sale, and he may by public announcement at the place and time fixed for the sale, for good and sufficient cause, continue such sale as to the whole of the bonds offered or any part thereof offered, to such time and place as he may select, not exceeding, however, sixty days. Due notice of the time and place of sale of all bonds must be given by said treasurer by publication in two newspapers published in the city and county of San Francisco, and also by publication in one newspaper published in the city of Oakland, and by publication in one newspaper published in the city of Los Angeles, and by publication in one newspaper published in the city of Sacramento, once a week during four weeks prior to such sale. The cost of such publication shall be paid out of the general fund of the state on controller's warrants duly drawn for that purpose. The proceeds of the sale of such bonds shall be forthwith paid over by said treasurer into the treasury and must be by him kept in a separate fund to be known and designated as the "San Francisco state building fund" and must be used exclusively for the construction, erection, equipment, completion and furnishing of a state building or buildings in the city and county of San Francisco. Drafts and warrants upon said fund shall be drawn upon and shall be paid out of said fund in the same manner as drafts and warrants are drawn and paid for other state work under the control of the said department of engineering.

SEC. 5. For the payment of the principal and interest of said bonds a sinking fund, to be known and designated as the "San Francisco state building sinking fund" shall be and the same is hereby created as follows: The state treasurer shall, on the second day of January and on the second day of July, commencing on the second day of January, 1916, and thereafter on the second day of July and the second day of January of each and every year thereafter in which a portion of the bonds sold pursuant to the provisions of this act shall become due, transfer from the general fund of the state treasury to the said "San Francisco state building sinking fund" such an amount of the moneys appropriated by this act as may be required to pay the principal and interest of the bonds so becoming due and payable in such years. There is hereby appropriated from the general fund in the state treasury such sum annually as will be necessary to pay the

principal of and the interest on the bonds, issued and sold pursuant to the provisions of this act, as said principal and interest becomes due and payable. There shall be collected annually in the same manner and at the same time as other state revenue is collected such a sum, in addition to the ordinary revenues of the state as shall be required to pay the principal and interest on said bonds as herein provided, and it is hereby made the duty of all officers charged by law with any duty in regard to the collection of said revenue, to do and perform each and every act which shall be necessary to collect such additional sum.

SEC. 6. The principal on all of said bonds sold shall be paid at the time the same becomes due from the said San Francisco state building sinking fund and the interest on all bonds sold shall be paid at the time said interest becomes due from said sinking fund. Both principal and interest shall be so paid upon warrants duly drawn by the controller of the state upon demands audited by the state board of control and the faith of the State of California is hereby pledged for the payment of the principal of said bonds so sold and the interest accruing thereon.

SEC. 7. The state controller and the state treasurer shall keep full and particular account and record of all of their proceedings under this act, and they shall transmit to the governor an abstract of all such proceedings thereunder, with an annual report to be by the governor laid before the legislature biennially; and all books and papers pertaining to the matter provided for in this act shall at all times be open to the inspection of any party interested, or the governor, or the attorney general, or a committee of either branch of the legislature, or a joint committee of both, or any citizen of the state.

SEC. 8. This act, if adopted by the people, shall take effect on the first day of December, 1914, as to all its provisions, excepting those relating to and necessary for its submission to the people and for the returning, canvassing and proclaiming the votes, and as to the said excepted provisions, this act shall take effect ninety days after the final adjournment of this session of the legislature.

SEC. 9. This act shall be submitted to the people of the State of California for their ratification at the next general election to be held in the month of November, A. D. 1914, and all ballots at said election shall have printed thereon the words "For the San Francisco state building act" and in the same square, under said words, the following in brevier type: "This act provides for the issuance and sale of state bonds to create a fund for the construction, erection, equipment, completion and furnishing of a state building or buildings upon a lot of land in the city and county of San Francisco, to be used by the officers and departments of the state which are located in said city and county of San Francisco." In the square immediately below the square containing said words there shall be printed on said ballot the words "Against the San Francisco state building act" and immediately below said words "Against the San Francisco state building act," in brevier type, shall be printed "This act provides for the issuance and sale of state bonds to create a fund for the construction, erection, equipment, completion and furnishing of a state building or buildings upon a lot of land in the city and county of San Francisco, to be used by the officers and departments of the state which are located in said city and county of San Francisco." Opposite the words "For the San Francisco state building act" and "Against the San Francisco state building act" there shall be left spaces in which the voters may stamp a cross indicating whether they vote for or against said act, and those voting for said act shall do so by placing a cross opposite the words "For the San Francisco state building act," and those voting against said act

shall do so by placing a cross opposite the words "Against the San Francisco state building act." The governor of this state shall include the submission of this act to the people, as aforesaid, in his proclamation calling for said general election.

SEC. 10. The vote cast for or against this act shall be counted, returned and canvassed and declared in the same manner and subject to the same rules as votes cast for state officers; and if it appear that said act shall have received a majority, of all the votes cast for and against it at said election, as aforesaid, then the same shall have effect as hereinabove provided, and shall be irrepealable until the principal and interest of the liabilities herein created shall be paid and discharged, and the governor shall make proclamation thereof; but if a majority of the votes cast, as aforesaid, are against this act, then the same shall be and become void.

SEC. 11. It shall be the duty of the secretary of state to have this act published in at least one newspaper in each county, or city and county, if one be published therein, throughout this state, for three months next preceding the general election to be held in the month of November, A. D. nineteen hundred and fourteen; the costs of publication shall be paid out of the general fund, on controller's warrants, duly drawn for that purpose.

SEC. 12. This act shall be known and cited as the "San Francisco state building act."

SEC. 13. All acts and parts of acts in conflict with the provisions of this act are hereby repealed.

DEPARTMENT OF ENGINEERING LAW.

[Approved March 11, 1907, Statutes 1907, p. 215. Amended Statutes 1909, p. 553. Statutes 1911, p. 823, Statutes 1915, p. 630, Statutes 1915, p. 898.]

SECTION 1. A department of and for the State of California to be known as the department of engineering is hereby created, to consist of an advisory board composed of the governor as ex officio member and chairman of said board, and a state engineer who shall be the chief executive officer of the department, the general superintendent of state hospitals, the chairman of the state board of harbor commissioners of San Francisco, and three other members to be appointed by the governor, which said three appointive members shall hereafter in this act be designated as the appointed members of said advisory board. The said department, its officers and employees, shall have and exercise the powers and duties hereinafter set forth and specified, and such as are or may be hereafter provided by law.

(Approved April 8, 1911, Statutes 1911, p. 825.)

SEC. 1½. Upon this act becoming effective the governor shall appoint five persons who shall be known as a consulting board to the department of state engineering upon all matters that affect irrigation, drainage and river improvement. Such board shall meet at such times as the work requires and shall meet at least once in two months. They may report to the advisory board on all matters relating to irrigation, drainage and river improvement together with their conclusions thereon, and may render a report to the advisory board upon all plans for river improvements.

(Approved April 8, 1911, Statutes 1911, p. 826.)

SEC. 2. Upon this act becoming effective the governor shall appoint a competent civil engineer as the head of the department of engineering, and such person shall be known as the state engineer. The state engineer shall devote his entire time to the services of the state and shall not actively engage in any other pursuit while serving as such state official. He shall have charge of all the engineering and

structural work of the department and may receive by and through the approval of the advisory board such special assistance of a technical character beyond the employees hereinafter specified as they shall allow for the proper conduct of the business of the department.

(Approved April 8, 1911, Statutes 1911, p. 826.)

SEC. 3. The state engineer and the appointed members of said advisory board shall hold office at the will and pleasure of the governor. Immediately after qualifying, the advisory board shall meet and organize and shall adopt a seal for the authentication of its acts and records.

(Approved April 8, 1911, Statutes 1911, p. 826.)

SEC. 4. Within twenty days after receiving notice of appointment the person appointed as state engineer shall file a bond in the sum of twenty thousand dollars (\$20,000) with at least two sufficient sureties thereon or with a surety company of recognized standing for the faithful performance of his duties, which bond must be approved by the governor and filed with the secretary of state, and he shall qualify by taking the oath of office as prescribed for other state officers.

(Approved March 11, 1907, Statutes 1907, p. 217.)

SEC. 5. The office of the department of engineering shall be in the state capitol; and the secretary of state shall assign to the department, for its use, such rooms as may be necessary for its accommodation. All of the regular meetings of the advisory board shall be held at such office. The said board may, however, hold such special meetings at such places as the duties of the department or the best interests of the state may require. The state board of harbor commissioners for the port of San Francisco shall assign proper rooms in the ferry building at San Francisco for the use of the chief engineer assigned for service under that board in the harbor of San Francisco, and his necessary office help.

(Approved May 27, 1915. In effect August 8, 1915, Statutes 1915, p. 900.)

SEC. 6. The department of engineering, by and through the state engineer shall have power to appoint two assistant engineers, one state architect, one architectural designer, a secretary, and such additional assistance as the advisory board may, in their judgment, deem necessary, and to fix their salaries and compensation, which officers and appointees shall hold office at the pleasure of the appointive power, and who must be confirmed by the advisory board before proceeding with their duties. Such officers and employees shall devote their entire time to the service of the department.

(Approved May 19, 1915. In effect August 8, 1915, Statutes 1915, p. 632.)

SEC. 6a. The department of engineering by and through the chairman of said advisory board shall have the power to appoint one engineer who shall be particularly skilled and qualified by experience in highway construction and who shall be designated highway engineer, and such assistant engineers, designers, draughtsmen, clerks, stenographers, and such other technical assistants and help as the advisory board may, in its judgment, deem necessary and said advisory board shall fix their salaries and compensation and prescribe their duties.

(Approved April 8, 1911, Statutes 1911, p. 826.)

SEC. 7. The advisory board shall meet at such times as the work of the department may require and shall meet at least once in two months. Said board shall advise with the state engineer, highway engineer or state architect as necessity requires and may advise with the boards of managers or trustees of the various state institutions requiring engineering or structural work, and with any state commission

regarding all works wherein such commission may be interested. The advisory board shall approve all plans and specifications for all public work and shall determine the kind, quality and extent of all public work of the state. All boards of managers, trustees and state commissions of state institutions shall apply to the department of engineering for plans and specifications for all public work coming under their charge, and before accepting any such work done under contract shall have a certificate from the state engineer who shall examine and certify to its completion. All public work coming under the full control of the department of engineering may upon the discretion of the advisory board be either contracted for or done by day's labor. The advisory board shall have the power, on the approval of plans and specifications by the state engineer, to direct whether any building or structure at any state institution shall be let by contract in part or in whole, or whether said building or structure shall be built by day's labor in part or in whole, but after approval of the plans, specifications and estimates by the advisory board of the department of engineering, if, in the opinion of such department of engineering, the acceptance of any bid or bids shall not be for the best interests of the state, or if in the opinion of such department of engineering the acceptance of any further bids after the rejection of all bids submitted shall not be for the best interests of the state, it may be legal for them to direct that the work or improvement of any state building, road or any other improvement be done upon a day's labor basis. Whenever any public work to be done by the state except work on property of the state on the water front of the city and county of San Francisco under the jurisdiction of the board of state harbor commissioners is placed upon a day's labor basis, it is especially exempted from any law on or relating to contracts of the state. The full control of such day's labor work is placed under the department of engineering and said department shall do all things necessary to properly carry out the work. When such work is so placed upon a day's labor basis, any appropriation which is now available or which is now or may be appropriated to become available, is by this act taken out of the control of any board of trustees, directors, commissioners, officers or other body to whom it has been appropriated, and placed exclusively under the control of the department of engineering, and the claims for said work shall be approved by the department of engineering, and audited by the board of examiners, upon whose audit the controller shall draw his warrant and the treasurer shall pay the same. The department of engineering shall have power to receive informal bids upon any subdivision of the day's labor work and the state engineer may upon the approval of the advisory board enter into an agreement for any such subdivisional work of the day's labor work.

(Approved April 8, 1911, Statutes 1911, p. 826.)

SEC. 8. All public work done by the state, except as otherwise provided for by law, shall be under the full control of the said department. It shall be the duty of the department of engineering whenever required by the advisory board to make examinations of lands subject to inundation and overflow by flood waters and of the waters causing such inundation or overflow and plans and estimates of the cost of works to regulate and control such flood waters. All matters of drainage, and improving and rectifying river channels and other work on any river or slough flowing into San Francisco bay, San Pablo bay and Suisun bay, and also the tide waters flowing into said bays, shall be placed under the management and control of the department of engineering whenever the law provides therefor. The department of engineering shall have charge of all expenditures unless

otherwise provided by law for all public works relating to general river and harbor improvements, including reclamation and drainage of lands. It may purchase, construct and operate one or more dredges or any other needed appliances to promote or properly carry out the work of the department. The state engineer in the name of the State of California, may obtain or condemn any right of way necessary for any construction herein named and shall proceed, if necessary, to condemn under the terms of the Code of Civil Procedure relating to such proceedings. It shall be the duty of the state department of engineering to pass upon all plans, specifications and estimates for the construction of dams now already constructed, in process of construction, or proposed to be constructed for the impounding of water other than the dams now coming under the authority of the California railroad commission. The department shall have the power to employ such additional help for the performance of the work of this section as the advisory board shall order.

(Approved May 19, 1915. In effect August 8, 1915, Statutes 1915, p. 632.)

SEC. 9. The department of engineering shall take full possession and control of all roads which have been declared state highways enumerated as follows: The Lake Tahoe wagon road, the Sonora and Mono road, the Mono Lake Basin road and all other state highways which may hereafter be constructed and all public work being done or now completed by the department of highways. All expenditures by the state for highway purposes except as otherwise hereafter provided by law shall be under the full charge of the department of engineering, and all moneys appropriated for such purpose shall be made payable upon the proper order of said department and shall be audited by the state board of examiners. The department of engineering, in the name of the people of the State of California, shall have the power to obtain or condemn necessary rights of way for any authorized state highway or for the change of any existing state highway or for any road placed under the department's charge by law unless otherwise provided. It shall have power to alter or change the route of a road and shall do all things necessary, and obtain all tools and implements required to properly care for and manage the roads under the charge of the department. The department may, in its discretion, and by and through its chairman, appoint superintendents of the state highways who shall hold office at the pleasure of the appointive power. They shall be specially qualified in road work. All unexpended balances of money now existing by law for improvements or maintenance of whatever kind under the department of highways, and the Lake Tahoe wagon road commissioner shall be placed under the control of the department of engineering, and the state controller shall transfer said funds to the credit of the department of engineering. Whenever under any statutes of this state the performance of any duty or obligation is imposed upon the department of highways, the same shall be assumed by and the performance of the same shall devolve upon the department of engineering.

(Approved April 8, 1911, Statutes 1911, p. 828.)

SEC. 10. The department of engineering shall make examination into existing highway conditions in the State of California, and shall, furthermore, make such investigations within the state as will put at the service of the state the most approved methods of highway improvement. It shall supply, on request, without charge, any information relative to highways required by any county or district official having care of and authority over highways within this state. It shall collect and collate data relating to the geological formation of the state in so far as it relates to material suitable for highway construction, and make analyses and tests of such

material as it may deem suitable for highway uses, with the view of determining the value of the same for such purposes. All data so collected, together with such other matters of value, or interest to the people of the state, shall be published in bulletins, or upon maps or diagrams, or in other proper form, or in the biennial report of the department, as it, in its discretion, shall determine. The department shall prepare and adopt styles and forms of books for use by officials, in which to keep account of the expenditure of highway money and all other records or proceedings relative to highways. It shall prepare such forms as may be necessary for use in connection with opening, abandoning, altering, locating, constructing, maintaining, obtaining title to, or otherwise relating to proposed state highways; and such books and forms, when so adopted, shall be the standard for use in the state. Copies of them shall be forwarded to the various officials who are charged with keeping or using the same, and such officials shall immediately prepare books and forms after the style shown by such standard, and shall thereafter use them exclusively for the purposes for which they are intended. It shall be the duty of the department to adopt such general forms for the surveying of state highways, mapping, and keeping of the notes thereof, and the permanent marking of the same on the ground, as it shall deem necessary, and shall issue instructions defining such general forms and markings to the person having charge of the making of such surveys; and it shall thereafter be the duty of such persons to follow the methods prescribed in such instructions. The department of engineering, in performance of its duties, shall have the power to call upon any state, county, or district official to furnish it with any information contained in his office which relates to or is in any way necessary to the proper performance of the work of said department; and it is hereby made the duty of such officials to furnish such information without cost.

(Approved March 11, 1907, Statutes 1907, p. 216.)

SEC. 11. All architectural work of the department shall be under the charge of the state architect. When, however, it shall be deemed to be for the best interest of the state, the board of control, with the approval of the governor, may require and arrange for public competition, and in all such competitions, the board of control, with the approval of the governor, and with the advice of the state architect, may prescribe the schedule of prizes the total of which, exclusive of the fee of the winner, shall not exceed one per centum of the amount appropriated for any building. The fee of the successful architect shall not exceed six per centum of the cost of said building. The state architect, in company with the state engineer, shall visit and inspect all completed architectural work, and shall certify to the state engineer its proper or improper completion. The state architect shall have general charge, under the state engineer, of the erection of all buildings and must have an inspector at each building during the whole time of its construction.

(Approved May 19, 1915. In effect August 8, 1915.
Statutes 1915, p. 633.)

SEC. 12. The department of engineering shall appoint a chief engineer for the board of state harbor commissioners for the port of San Francisco, and his salary shall be five thousand dollars per annum and be payable monthly out of the San Francisco harbor improvement fund, and he shall hold office at the pleasure of the appointive power. He shall furnish the state with a bond in the sum of ten thousand (\$10,000.00) dollars for the faithful performance of his duties, which bond must be approved by the governor of the State of California and filed in the office of the secretary of state. He shall prepare such plans and specifications as the

board may direct and if adopted, and the work ordered by the board to be done, must superintend its construction. He must give constant attention to the condition of the seawall and thoroughfare, of the sheds, wharves, piers and landings, of the streets or parts thereof under the jurisdiction of the board, and when repairs are needed must forthwith report to the board in writing their nature and extent, and if ordered by the board must have the same done at once. He must keep himself informed as to the depth of water in the various docks and slips, and report to the board from time to time what dredging is required. He must keep a register properly indexed, showing the date, place and character of every piece of work done and dock dredged, when begun and finished, with proper descriptions and drawings. He shall do all engineering work required by the said board of state harbor commissioners, and shall be subject at all times to its control, and devote his entire time to the service of the board. A copy of all work under his charge as chief engineer shall be filed in the office of the department of engineering. A complete record of cost in detail of all work done under the supervision of the chief engineer shall be filed with the department of engineering upon the completion thereof.

(Approved May 27, 1915. In effect August 8, 1915.
Statutes 1915, p. 901.)

SEC. 13. All co-operative engineering work now existing or to be engaged in by the state with the United States government shall be placed under the department of engineering. All plans, estimates and specifications shall be approved by the state engineer and the advisory board shall have full power to determine the kind, quality and extent of such work under co-operation with said government before entering into agreement with said government for such work. All unexpended moneys provided for by law on the aforesaid co-operative basis shall be expressly placed under the full control of the department of engineering, and the state controller shall transfer such funds to the credit of the said department. Hereafter plans, estimates and specifications for such work shall be filed in the office of the said department.

(Approved March 11, 1907, Statutes 1907, p. 221.)

SEC. 14. It shall be the duty of the state engineer to consult and advise with the members of the corps of engineers of the United States army comprising the California debris commission (created by act of congress approved March first, eighteen hundred and ninety-three), in relation to the construction of works for the restraining and impounding of debris resulting from mining operations, natural erosion, or other causes: and it shall be his duty to examine such works and to report the result of such examination to the advisory board. Said state engineer is further authorized and directed to consult and advise with said "California Debris Commission" in relation to any and all plans and specifications that may have been or may hereafter be prepared or adopted by said "California Debris Commission," for the construction of such restraining or impounding works, and said state engineer shall file a copy of all such plans and specifications in the office of the department. Whenever the advisory board approves said plans and specifications the state engineer shall notify the "California Debris Commission." Whenever said "California Debris Commission" or the government of the United States shall have entered into any contract for the construction of works for the purposes described in this act, in pursuance of plans and specifications that have been theretofore approved by the advisory board as in this act provided, it shall then be the duty of the state engineer to cause such work to be carefully inspected during the progress of their construction and to keep a record of the result of such inspection. Said state engineer shall also from time to time,

during the progress of the construction of such works, when requested so to do by the said "California Debris Commission," present his claims to the state board of examiners in favor of such person or persons as may be designated by said "California Debris Commission" for such amounts as shall equal one-half of the cost of the construction of said works; and said state engineer shall in like manner, and when requested so to do by said "California Debris Commission" present its claims to the state board of examiners for an amount equal to one-half the purchase price of any site or sites necessary for the construction of said works; *provided*, that the purchase of said site or sites shall have been first approved by the advisory board. All unexpended balances of money provided by law for the work under the debris commissioner shall be placed to the credit of the department of engineering by the state controller. Whenever under any statutes of the state any duty or obligation the performance of which is imposed upon the debris commissioner, the same shall be assumed and the performance of the same shall devolve upon the department of engineering.

(Approved March 11, 1907, Statutes 1907, p. 221.)

SEC. 15. When in his judgment it is deemed necessary, the state engineer, subject to the approval of the advisory board, shall employ such assistance on the public work of the state or on the public work at any state institution as may be necessary for the proper discharge of his duties, and shall under like restrictions, have the authority to purchase any supplies, instruments, tools and conveniences as may be necessary for the proper discharge of the duties of the department of engineering. All employees of the department of engineering, when employed upon public work at or for any state institution in this state shall be paid, unless otherwise provided, from the revolving fund hereinafter created, and the amount of such payment shall be a charge against the institution for which such work is performed, and when collected from said institution by the department of engineering, shall be paid into said revolving fund. In all other cases such employees shall be paid by the department of engineering. All inspectors employed by the state engineer on any public work shall render to the state engineer a full, true and correct report of the kind, manner and progress of all work upon which he is such inspector. Any inspector who shall render a false report knowing the same to be false shall be guilty of a felony. It shall be the duty of the state engineer to keep a full, true and correct detailed account of the cost of all work done under the control of the department of engineering, and with the consent of the advisory board, may employ a clerk for the proper compiling thereof. Such account shall be always open to the inspection of the public.

(Approved March 20, 1909, Statutes 1909, p. 561.)

SEC. 16. The state engineer shall prepare biennial reports which shall be submitted to the governor at least thirty days before each session of the legislature. Said report shall embrace the work and investigations of the department under his charge for the previous two years, together with such recommendations for changes in the laws affecting the department as he may deem advisable, and shall suggest and recommend changes relating to the road systems or administration within the state. It shall be the duty of the state printer to print all reports, bulletins or other matter and furnish any other necessary illustrations or diagram therefor as the department may deem necessary, all of which shall, however, be subject to the approval of the state board of examiners.

(Approved March 11, 1907, Statutes 1907, p. 222.)

SEC. 17. The highway engineer shall receive not to exceed the sum of ten thousand dollars (\$10,000.00) per annum; the state engineer shall receive the sum of five thousand dollars (\$5,000.00) per annum; each assistant state engineer shall receive the sum of three thousand dollars (\$3,000.00) per annum; the state architect shall receive forty-eight hundred dollars (\$4,800.00) per annum; the architectural designer shall receive twenty-four hundred dollars (\$2,400.00) per annum; the secretary shall receive twenty-four hundred dollars (\$2,400.00) per annum. Such salaries shall be paid at the same time and in the same manner as are the salaries of other state officers. The highway engineer shall furnish the state with a bond in the sum of twenty thousand dollars (\$20,000.00); the two assistant engineers and the state architect shall each furnish the state with a bond in the sum of ten thousand dollars (\$10,000.00); and the secretary shall furnish the state with a bond in the sum of fifteen thousand dollars (\$15,000.00), for the faithful performance of their duties. Such bonds must be approved by the governor of the State of California and filed in the office of the secretary of state. Each of the three appointed members of the advisory board shall receive the sum of three thousand six hundred dollars (\$3,600.00) per annum. Each and every one of the above mentioned officers shall take the oath of office as prescribed for other state officers. The members of the advisory board, the state engineer and other officers and employees of the department of engineering shall be allowed their necessary traveling expenses while engaged in the discharge of their duties within the state.

(Approved May 15, 1915. In effect August 8, 1915, Statutes 1915, p. 633.)

SEC. 18. The state board of examiners shall audit all bills or claims incurred by the department of engineering and the state engineer shall present claims to the said board for all expenditures directly under his charge. The attorney general of the state shall be the legal advisor of the department of engineering and the said department shall call upon the attorney general of the state for all such legal advice and services as the discharge of its duties may require.

(Approved March 11, 1907, Statutes 1907, p. 223.)

SEC. 19. The sum of ten thousand dollars (\$10,000) is hereby appropriated out of any money in the state treasury not otherwise appropriated to provide and maintain a permanent revolving fund for the payment of salaries and wages of employees in the department of engineering when employed upon public work at or for any state institution, other than those employees whose salaries are fixed and determined by section 17 of this act. Such payment so made for salaries and wages shall be charged against the institutions for which said act is performed and in favor of the department of engineering, and when collected by said department, shall be paid into the revolving fund hereby created.

(Approved April 8, 1911, Statutes 1911, p. 829.)

SEC. 20. It shall be the duty of the auditing board to the commissioner of public works, the commissioner of public works, the state highway commissioner, the debris commissioner, and the Lake Tahoe wagon road commissioner to transfer to the state controller all the property, books, reports and papers and maps of every description which is state property, and the said controller shall transfer all of said things and property to the department of engineering.

(Approved March 11, 1907, Statutes 1907, p. 223.)

SEC. 21. An act entitled "An act creating a commissioner of public works, defining his duties and powers and fixing his compensation," approved February ninth, nineteen hundred, and all acts or parts of acts amendatory thereof are hereby expressly repealed.

(Approved March 11, 1907, Statutes 1907, p. 223.)

SEC. 22. An act entitled "An act to create a department of highways for the State of California, to define its duties and powers, to provide for the appointment of officers and employees thereof, and to provide for the compensation of said officers and employees, and for the additional expenses of said department, and to make an appropriation therefor for the remainder of the forty-eighth fiscal year," approved April first, eighteen hundred and ninety-seven, is hereby expressly repealed.

(Approved March 11, 1907, Statutes 1907, p. 224.)

SEC. 23. An act entitled "An act providing for the appointment of an auditing board to the commissioner of public works, authorizing and directing him and them to perform certain duties relating to drainage, to purchase machinery, tools, dredges, and appliances therefor, to improve and rectify water channels, to erect works necessary and incident to said drainage, to condemn land and property for the purposes aforesaid, making certain acts a felony, and making an appropriation of money for the purposes of this act," approved March seventeenth, eighteen hundred ninety-seven, and all acts or parts of acts amendatory thereof are hereby expressly repealed.

(Approved March 11, 1907, Statutes 1907, p. 224.)

SEC. 24. An act entitled "An act to provide for the appointment, duties and compensation of the debris commissioner, and to make an appropriation to be expended under his directions in the discharge of his duties as such commissioner," approved March twenty-fourth, eighteen hundred and ninety-three, and all acts or parts of acts amendatory thereof are hereby expressly repealed.

(Approved March 11, 1907, Statutes 1907, p. 224.)

SEC. 25. An act entitled "An act to create the office of Lake Tahoe wagon road commissioner, providing the term of office and compensation of such commissioner, defining his duties, and making an appropriation for the salary and expenditures provided for and authorized by this act," approved April first, eighteen hundred and ninety-seven, and all acts or parts of acts amendatory thereof are hereby expressly repealed.

(Approved March 11, 1907, Statutes 1907, p. 224.)

SEC. 26. All acts or parts of acts in conflict with the provisions of this act are hereby repealed.

(Approved March 11, 1907, Statutes 1907, p. 224.)

CONTRACT LAW OF STATE DEPARTMENT OF ENGINEERING.

An act to regulate contracts on behalf of the state in relation to the erection, construction, alteration, repair or improvement of any state structure, building, road, or other state improvement of any kind, and to repeal an act entitled, "An act to regulate contracts on behalf of the state in relation to erections and buildings," approved March 28, 1876, approved March 22, 1909, approved June 14, 1913, approved June 8, 1915.

SECTION 1. Whenever provision is made by law for the erection, construction, alteration, repair or improvement of any state structure, building, road, or other state improve-

ment of any kind excepting improvements on the property of the state on the water front of the city and county of San Francisco under the jurisdiction of the board of state harbor commissioners, the total cost of which will exceed the sum of one thousand dollars, the same shall be under the sole charge and direct control of the department of engineering. Said department, before entering into any contract for the erection, construction, alteration, repair or improvement of any state structure, building, road, or other state improvement of any kind, shall prepare full, complete and accurate plans and specifications and estimates of cost, giving such directions for the same as will enable any competent mechanic or other builder to carry them out. The plans, specifications and estimates of cost must be approved by the advisory board of the department of engineering and the original draft thereof filed permanently in the office of the department of engineering before further action is taken.

(Approved June 8, 1915, Statutes 1915, p. 1306.)

SEC. 2. Said department of engineering shall after the approval and filing of plans, specifications and estimates of cost, as in this act required, let such work by contract to the lowest responsible bidder or bidders upon public notice which shall be given as follows: Notice of such work must be published once a week for three consecutive weeks next preceding the day set for the receiving of bids in two trade papers of general circulation, one published in Los Angeles and one in San Francisco, devoted primarily to the dissemination of contract and building news among contracting and building material supply firms; *provided*, that if the work comes within the immediate supervision of the state engineer, in the record kept for that purpose the state engineer shall register any one desiring to be so registered for the purpose of becoming a prospective bidder upon state work, which registration shall be renewed on or before the beginning of each fiscal year, and whenever any state work is to be let by contract the state engineer shall cause a notice of the same to be mailed to each of the addresses so registered at least twenty-five days prior to the date set for the receiving of bids. In each case such notice must state the time and place for the receiving and opening of sealed bids and must also state that the bids will be required for the entire work and also, when advisable, for the performance of segregate parts of the entire work, such segregation to be determined by the department of engineering and designated in such notice.

(Approved June 8, 1915, Statutes 1915, p. 1306.)

SEC. 3. On the day named in said public notice the department of engineering shall proceed to publicly open said sealed bids, and shall award such contract or contracts to the lowest responsible bidder or bidders. All bids shall be presented under sealed cover and shall be accompanied by cash, a bidder's bond, or a certified check made payable to the state engineer, for an amount equal to at least ten per cent of the amount of said bid and no bid shall be considered unless such cash, bond or check is enclosed therewith. Should the successful bidder to whom the contract is awarded fail to execute the same, such cash, bond or check shall be forfeited to the State of California and the same shall be the property of the state. All other cash, bonds and certified checks shall within ten days after the date of the award of said contract, be returned to the unsuccessful bidders who submitted the same. Such contract or contracts shall not be binding on the state until they are submitted to the attorney general and by him found to be in accordance with the provisions of this act, and his certificate thereon to that effect made. If in the opinion of such department of engineering the acceptance of the lowest responsible bid or bids shall not be for the best

Interests of the state, it may be lawful for them to reject all bids and advertise for others in the manner aforesaid. But after the approval of the plans, specifications and estimates of costs by the advisory board of the department of engineering, if, in the opinion of such department of engineering the acceptance of any bid or bids shall not be for the best interests of the state, or if in the opinion of such department of engineering the acceptance of any further bids after the rejection of all bids submitted shall not be for the best interests of the state, it may be legal for them to direct that the erection, construction, alteration, repair, or improvement of any state structure, building, road, or other state improvement of any kind, except as provided in section one of this act, shall be done by day's labor, under the direction and control of the department of engineering. Upon the approval of the advisory board, the state engineer or other duly authorized officers of the department of engineering may, when proceeding upon the basis of day's labor, let any subdivision or unit of said work by contract upon informal bids. All contracts shall provide that such department of engineering may, as hereinafter provided, and on the conditions stated, make any change in the plans and specifications. Certified copies of such contracts shall be filed with the controller and the board of examiners.

(Approved June 8, 1915, Statutes 1915, p. 1306.)

SEC. 4. After the contract or contracts are let no change shall be made to increase or diminish the cost of any contract in excess of five hundred dollars, except upon the approval of the advisory board of the department of engineering, and then only upon additional plans and specifications and estimates of cost being filed and approved, and amended contracts entered into and filed with the original contract. This section shall not be construed, in state road or highway work, to prevent the receipt of bids or the making of a contract upon a unit basis, that is, the bids compared upon the basis of the estimates of quantities of the work to be done, nor the increase or decrease of such quantities during the progress of the work by the department of engineering as may be deemed expedient by such department, nor the insertion of provisions in the contract for the performance of such extra work and the furnishing of such materials therefor by the contractor as may be required by such department for the proper completion or construction of the whole work contemplated; *provided*, that the bidders shall have had equal opportunity of knowing what the terms proposed by the department of engineering for the performance of such extra work shall be.

(Approved June 8, 1915, Statutes 1915, p. 1306.)

SEC. 5. Except in unit basis contracts in state road or highway work, no contract or contracts shall be made exceeding in amount the estimates of costs approved by the advisory board of the department of engineering and no plans and specifications and estimates of cost including expense of advertising and inspection, shall be approved by said board requiring a greater expenditure of money than is appropriated for the specific purpose in the act authorizing the same.

(Approved June 8, 1915, Statutes 1915, p. 1306.)

SEC. 6. Payments upon contract shall be made as the department of engineering may prescribe upon estimates made and approved by the said department and audited by the board of examiners, but no payment shall be made in excess of ninety per cent of the percentage of actual work completed, to which has been added one-half of the value of material delivered on the ground and unused. The department of engineering shall withhold not less than ten per cent of the contract price until final completion and acceptance of

the work. The controller shall draw his warrants upon estimates so made and approved by the department of engineering and audited by the board of examiners and the state treasurer shall pay the same.

(Approved March 22, 1909, Statutes 1909, p. 656.)

SEC. 7. Any member of the advisory board or persons employed under the department of engineering who shall knowingly perform any official act to the injury of the state, or any contractor or his agent or employee who shall knowingly permit the violation of the contract of such contractor to the injury of the state, or any agent or employee of any contractor who shall have knowledge of any work being done in violation of contract and does not immediately notify the department of engineering or the inspector upon said work in regard to the same is guilty of a felony and, upon conviction thereof, shall be confined in the state prison for not less than one year nor more than five years, and be liable to the state for double the amount the state may have lost, or be liable to lose by reason thereof.

(Approved March 22, 1909, Statutes 1909, p. 656.)

SEC. 8. Whenever, in the opinion of the department of engineering, the work under any contract made in pursuance of this act, is neglected by the contractor or contractors, or the same is not prosecuted with diligence and force specified or intended in and by the terms of the contract, it shall be lawful for such department of engineering to make a requisition upon such contractor or contractors for such additional specific force, or for such additional specific material, to be brought into the work under such contract, or to remove improper materials from the grounds; of which action of said department of engineering due notice in writing of not less than five days, shall be served upon such contractor, or his or their agent having charge of the work. Such written notice may be served by personally delivering such notice to such contractor, or his agent having charge of the work, or by registered mail directed to such contractor or agent (the period of five days to run from the date of registration in the United States post office), or when such contractor or his agent has left the state or his address is unknown, by posting such notice in a conspicuous place upon the premises of work. If such contractor or contractors fail to comply with such requisition within five days, it shall be lawful for said department of engineering to employ upon such work the additional force, or supply the materials so specifically required as aforesaid, or such part of either as they may deem proper, and to remove improper materials from the grounds; and it shall be the duty of such department of engineering to make separate estimates of all such additional force or materials so employed or supplied as aforesaid, and the amount so estimated shall be charged against said contractor or contractors, and deducted from his or their next, or any subsequent, estimate; or the same, or any part thereof not paid as aforesaid, may be recovered by action from such contractor or contractors and their sureties.

(Approved June 8, 1915, Statutes 1915, p. 1306.)

SEC. 9. In all contracts made under the provisions of this act, there shall be a provision in regard to the time when the whole, or any specified portion, of the work contemplated in said contract shall be completed, and also providing that for each and every day the same shall be delayed beyond such time or times so named, the said contractor or contractors shall forfeit and pay to the state a sum of money, to be fixed and determined in said contract, to be deducted from any payment or payments due, or to become due, to said contractor or contractors; *provided*, however, that the department of engineering may, in its discretion, grant such exten-

sions of time as it may deem expedient and for the best interests of the state. Any such contract shall provide for the filing of a sufficient bond by the contractor to secure the payment of the claims of material men, mechanics, or laborers employed upon state work; a penalty of ten dollars per day to be forfeited to the state for each calendar day during which any laborer, workman, or mechanic is employed or permitted to labor more than eight hours; a minimum compensation of not less than two dollars per day for labor; that no Chinese or Mongolian labor shall be employed and such other provisions as are now or may hereafter be provided by law.

(Approved June 8, 1915, Statutes 1915, p. 1306.)

SEC. 10. An act entitled "An act to regulate contracts on behalf of the state in relation to erections and buildings," approved March 23, 1876, and all acts amendatory thereto are hereby repealed, and all other acts or parts of acts in conflict with the provisions of this act are hereby repealed. Such repeal shall not affect, however, the operation of any other act heretofore passed, whether such act shall refer to the act hereby repealed or not, so as to exempt any public work from the provisions of this act.

(Approved March 22, 1909, Statutes 1909, p. 656.)

SEC. 11. All of the provisions of this act shall be so construed as to preserve and keep in full force and effect all causes of action, and actions for penalties which have already accrued or may hereafter accrue under any contract, heretofore entered into, against any contractor or person under and by virtue of the provisions of said act entitled "An act to regulate contracts on behalf of the state in relation to erections and buildings," approved March 23, 1876, which is repealed by virtue of this act, and all such actions and causes of action may be prosecuted to final judgment and all such penalties may be imposed and collected under the provisions of said act so repealed to the same extent and in the same manner as though said act had not been repealed.

(Approved March 22, 1909, Statutes 1909, p. 656.)

GENERAL LAWS—ARCHITECTURE.

An act to regulate the practice of architecture.

[Approved March 23, 1901, Statutes 1901, p. 641. Amended 1903, p. 522.]

Constitutional: *Ex parte McManus*, 151 Cal. 331.

1. Within sixty days from and after the passage of this act, the governor of the state shall appoint ten persons, which persons so appointed shall constitute a board, which board shall be known and designated as the state board of architecture. Five members of said board of architecture, shall be residents of the northern district of California, and shall constitute the northern district board for the examination of applicants for certificates to practice architecture in this state. And five members of said board shall be appointed from the southern district of California, and shall constitute the southern district board for the examination of applicants for certificates to practice architecture in this state. The northern district shall be all that portion of the state north of the northerly line of the county of San Luis Obispo and the county of Kern and the county of San Bernardino. And the southern district shall be all that portion of the state south of the northerly line of the county of San Luis Obispo and of the county of Kern and of the county of San Bernardino. Said state board of architecture shall be appointed by the governor as follows: Five members shall be appointed from the members in good standing of the San Francisco Chapter of the American Institute of Architects, or some

similar institution or association of architects, two of whom shall be designated to hold office for two years. Five members shall be appointed from the members of the Southern California Chapter of the American Institute of Architects, or some similar institution or association of architects, two of whom shall be designated to hold office for two years. Each person so appointed shall hold office for four years, unless so designated to hold office for two years. And thereafter, upon the expiration of the term of office of the persons so appointed, the governor of the state shall appoint a successor or successors to such outgoing person or persons whose term of office shall have expired, to hold office for four years; *provided*, that the membership of the state board of architecture shall be composed as herein set forth. Each member shall hold over after the expiration of his term of office until his successor shall have been duly appointed and qualified. Any vacancy occurring in the membership of the board shall be filled by the governor of the state for the unexpired term in like manner. The members of the board shall serve without compensation from the state. The expenses of the board shall be paid out of the fees collected from applicants for certificates.

2. The members of the state board of architecture shall, before entering upon the discharge of the duties of their office, take and file with the secretary of state the constitutional oath of office. The said state board of architecture shall, within thirty days from and after their appointment, meet and elect from their number a president and a vice president, one of whom shall be a resident of the northern district, and one a resident of the southern district, and two secretaries, one from each district. The secretaries shall also act as treasurers. The person receiving the highest number of votes shall be secretary, and the person receiving the next highest number of votes, assistant secretary. Said persons shall hold office for two years, or until their successors shall have been duly elected and qualified.

3. The board may adopt rules and regulations for the government of its proceedings, not inconsistent with this act. The state board shall adopt a seal for its own use, and one for each of the district boards. The seal used by the northern district board shall have the words "Northern District" inscribed thereon, and the one for the southern district board shall have the words "Southern District" inscribed thereon, and the secretary and assistant secretary shall have charge, care and custody thereof. The secretary shall keep a correct record of all the proceedings of the board, which shall be open to public examination at all times. Six members shall constitute a quorum for the transaction of business of the state board of architecture, and three members shall constitute a quorum of the district boards for the transaction of business. Special meetings of the state board of architecture shall be called by the secretary upon the written request of four of its members, and by giving twenty days' written notice of such meeting, and the time and place at which such meeting is to be held, to each member of the board. The district board shall call special meetings upon the written request of two of its members made to the secretary, and upon five days' written notice to each member of such district board. Within thirty days from and after the date of their appointment, the state board shall meet to organize, elect officers as in this act provided for, and formulate and adopt a code of rules and regulations for its government in the examination of applicants for certificates to practice architecture in this state; and such other rules and regulations as may be necessary and proper, not inconsistent with this act. The board may from time to time repeal or modify its rules and regulations, not inconsistent with this act. The state board shall meet annually, on the second Tuesday in

April, for the purpose of transacting such business as may lawfully come before it, not inconsistent with this act. The district boards shall hold their regular meetings for the examination of applicants for certificates to practice architecture, on the last Tuesday of January, April, July and October of each year. The board of the northern district shall meet in San Francisco; and the board of the southern district shall meet in Los Angeles, and at such other times and places as they may elect, to examine applicants for certificates. Any person shall be entitled to an examination for a certificate to practice architecture, upon payment, to the district board when he makes application, of a fee of fifteen dollars, which fee shall be retained by the board; should the applicant pass a satisfactory examination by said district board, the secretary shall, upon the payment to him of a further fee of five dollars, issue to the applicant a certificate, signed by the president and secretary, sealed with the seal of the district board, and directed to the secretary of state, setting forth the fact that the person therein named has passed a satisfactory examination, and that such person is entitled to a certificate to practice architecture in this state, in accordance with the provisions of this act; and upon the payment to the secretary of state of a fee of five dollars, the secretary shall at once issue to the person therein named a certificate to practice architecture in this state in accordance with the provisions of this act, which certificate shall contain the full name of the applicant, his birthplace and age, together with the name of the district board issuing the certificate, and date of issuance thereof. All papers received by the secretary of state on application for certificate shall be kept on file in his office, and a proper index and record thereof shall be kept by him.

4. Any architect in good standing, who shall show to the satisfaction of the district board of the district in which such architect may reside, that he was engaged in the practice of the profession of architecture on the date of the passage of this act, shall be granted a certificate without passing an examination, on the payment to the district board of a fee of five dollars; *provided*, such application shall be made within six months from and after the passage of this act. Said certificate shall set forth the fact that the person to whom the same was issued was practicing architecture in this state at the time of the passage of this act, and that the person therein named is entitled to a certificate to practice architecture without having to pass an examination by the district board; and the secretary of state shall, upon the payment to him of a fee of five dollars, issue to the person named therein a certificate to practice architecture in this state, in accordance with the provisions of this act. Each certificated architect shall have his certificate recorded in the office of the county recorder, in each and every county in this state, in which the holder thereof shall practice, and he shall pay to the recorder the same fee as is charged for the recording of deeds. A failure to have his certificate so recorded shall be deemed sufficient cause for revocation of such certificate.

5. After the expiration of six months from the passage of this act, it shall be unlawful, and it shall be a misdemeanor, punishable by fine of not less than fifty dollars nor more than five hundred dollars, for any person to practice architecture without a certificate in this state, or to advertise, or put out any sign or card, or other device which might indicate to the public that he was an architect; *provided*, that nothing in this act shall prevent any person from making plans for his own buildings, nor furnishing plans or other data for

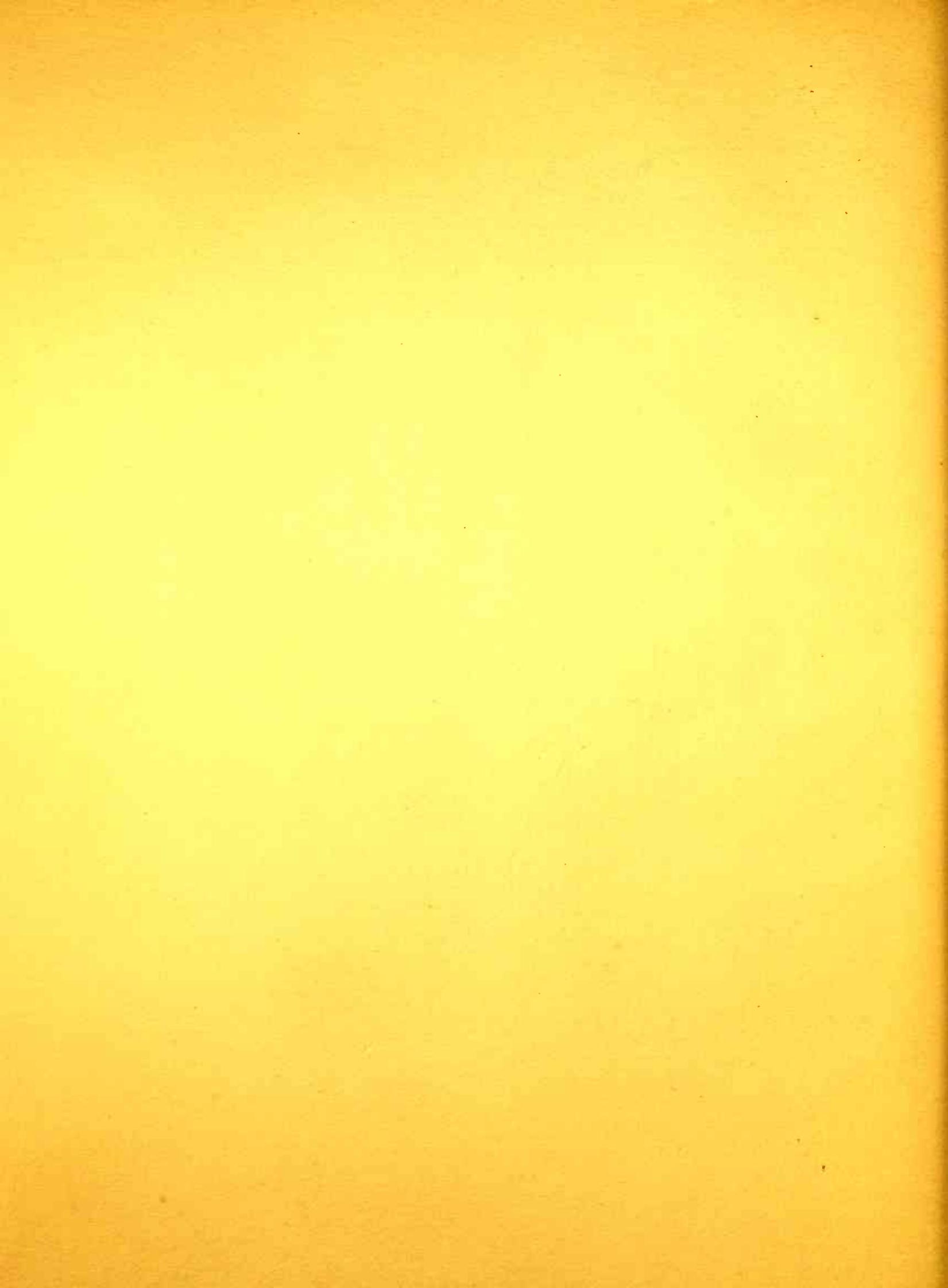
buildings for other persons, provided the person so furnishing such plans or data shall fully inform the person for whom such plans or data are furnished, that he, the person furnishing such plans, is not a certificated architect; *provided*, that nothing in this act shall prevent the employment of an architect residing out of the State of California to prepare plans and specifications for buildings or other structures within the state, conditioned he shall present satisfactory evidence to the board of the district in which the structure is to be erected that he is a competent architect, when such board shall issue to such architect a temporary certificate for such employment, upon the payment of a fee of five dollars. Architects' certificates issued in accordance with the provisions of this act shall remain in full force until revoked for cause, as hereinafter provided for in this act. A certificate may be revoked for dishonest practices, or for gross incompetency in the practice of the profession, which questions shall be determined by the district board of the district in which the person whose certificate is called in question shall reside, or shall be doing business; and upon a full investigation of the charges by the district board, an opportunity having been given the accused to be heard in his own defense or by counsel; and upon the verdict of at least four members of the district board, the board may issue its certificate to the secretary of state revoking the certificate of the person accused; and the secretary of state shall thereupon cancel such certificate. And on the cancellation of such certificate, it shall be the duty of the secretary of the district board to give notice of such cancellation to the county recorder of each county in this state, whereupon the recorder shall mark the certificate recorded in his office "Canceled."

After the expiration of six months the person whose certificate was revoked may have a new certificate issued to him by the secretary of state upon the certificate of the district board by which the certificate was revoked.

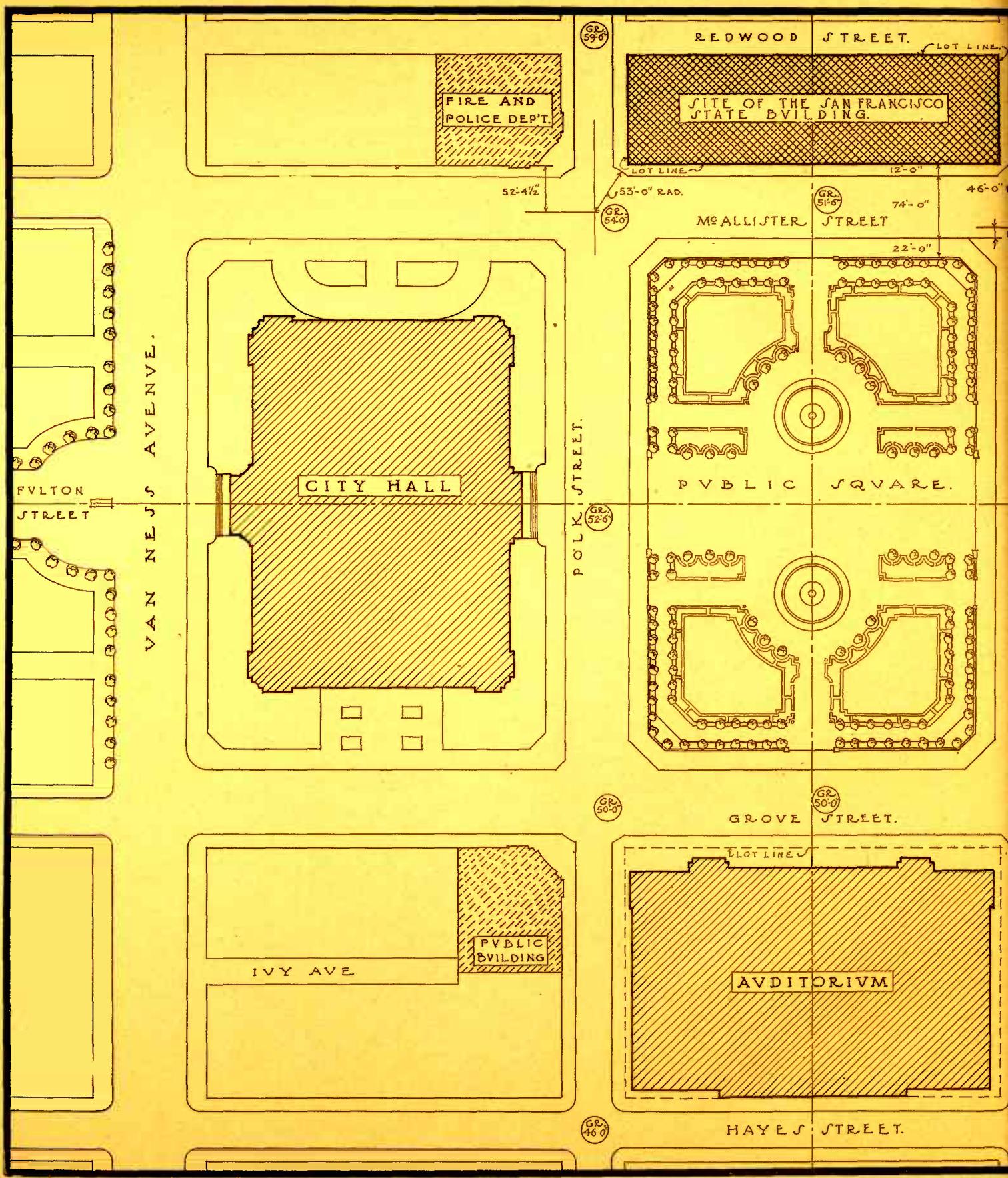
Every certificated architect shall have a seal, the impression of which must contain the name of the architect, his place of business, and the words "Certificated architect," with which he may stamp all plans prepared by him.

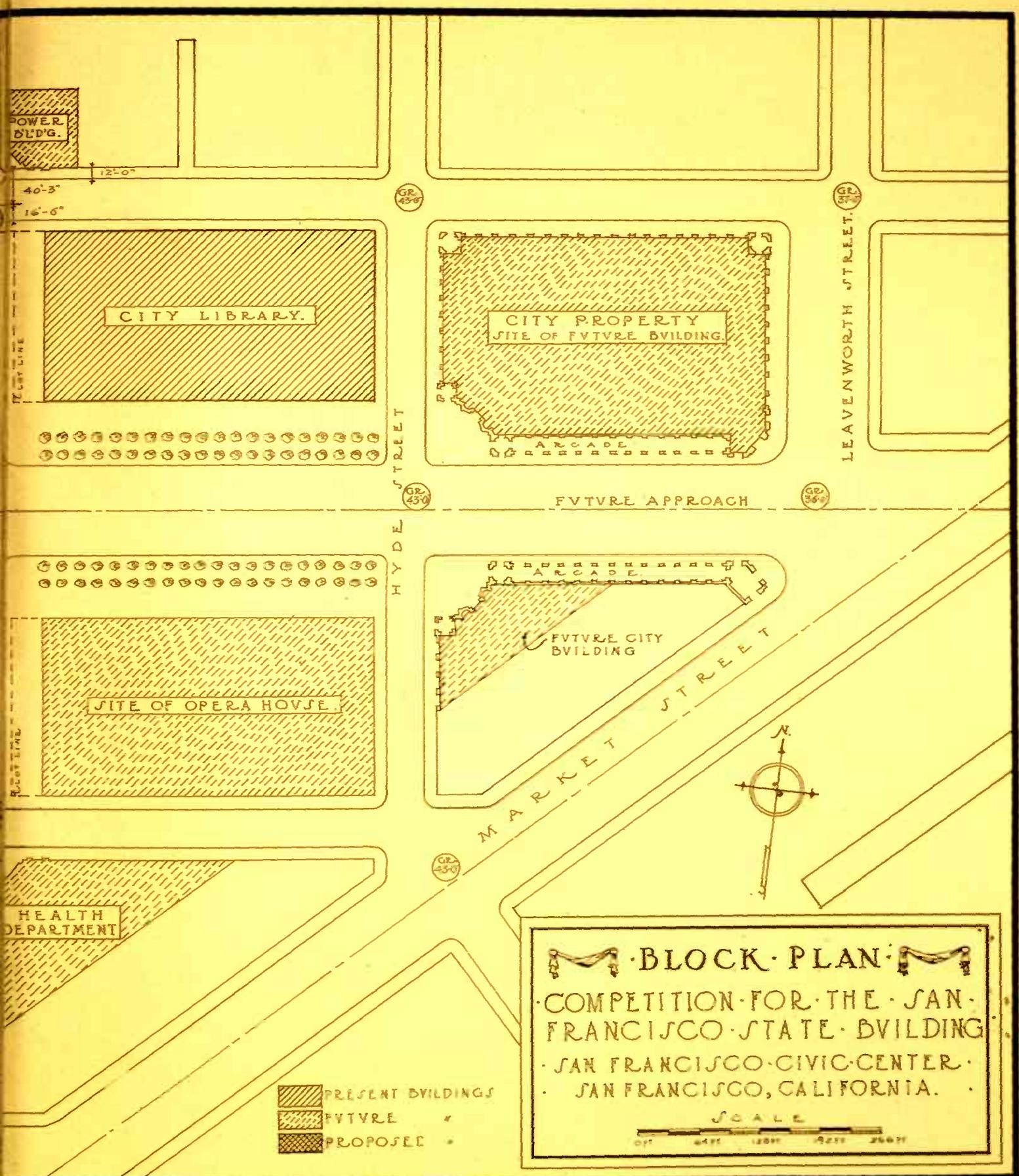
6. This act shall take effect from and after its passage.

7. Each regularly certificated architect shall pay an annual license fee of five dollars, said fee to be paid to the secretary of the board of the district of which he shall be a resident, and shall be payable in advance on January 1, and shall become delinquent the first day of April, of each year, after which date it shall be delinquent, and the certificate of such architects who shall fail to pay their license fees by April 1 of each year, shall be subject to cancellation by said district board, and notice of such cancellation shall be sent to each county recorder of the State of California and to the secretary of state as provided in section 5 of the act to regulate the practice of architecture, approved March 23, 1901, for cancellation of certificates. And the secretary of the said district shall issue a receipt signed by the president and secretary of the district, and under the seal of the district board, to each architect paying said license fee, showing that said certificated architect has paid his annual license fee, which license receipt shall be displayed in a prominent place in the office of said architect. The fees so collected shall be used to meet the expenses of the state board of architecture. (New section approved March 26, 1903, Statutes 1903, p. 522. In effect immediately.)

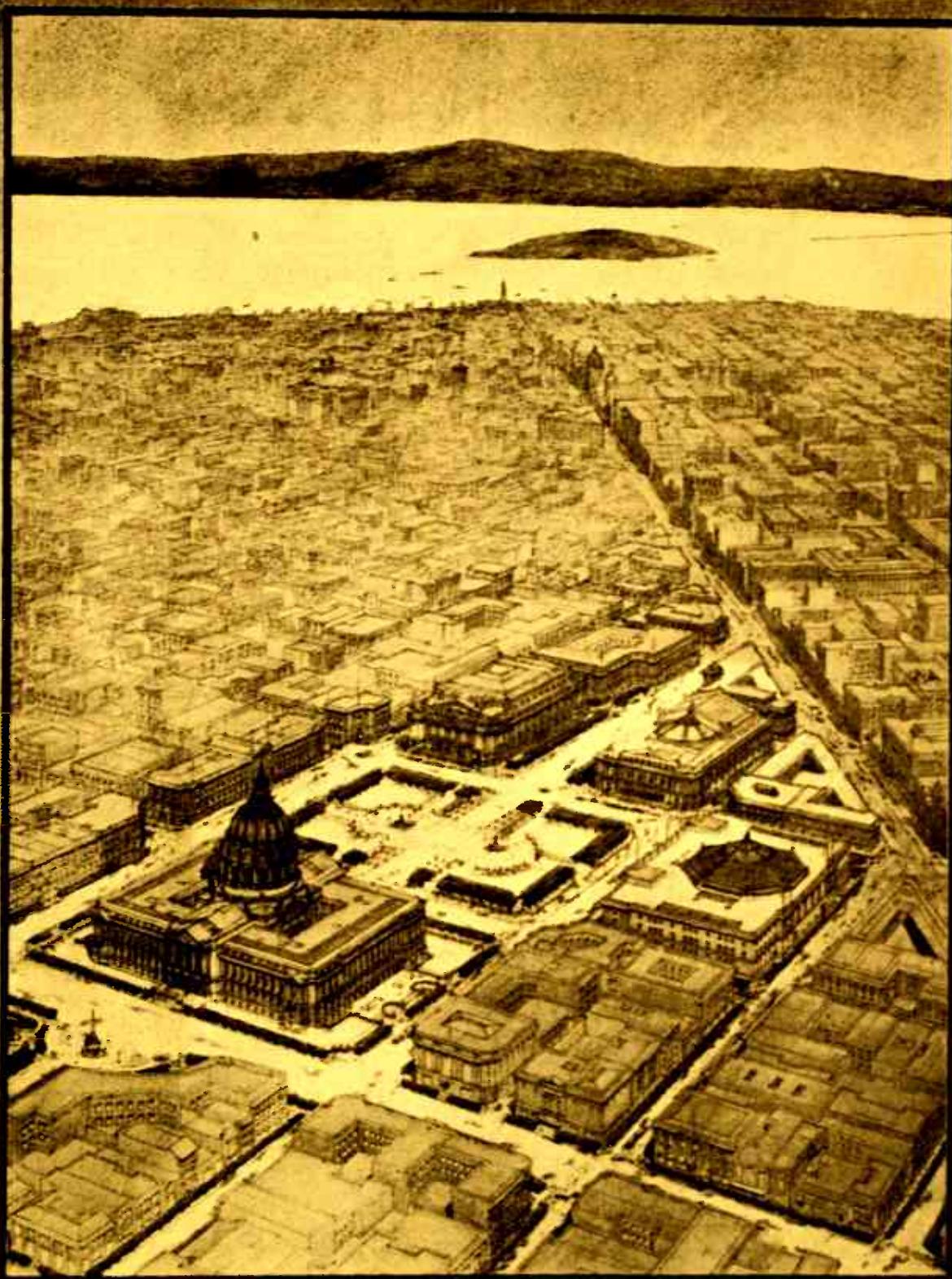








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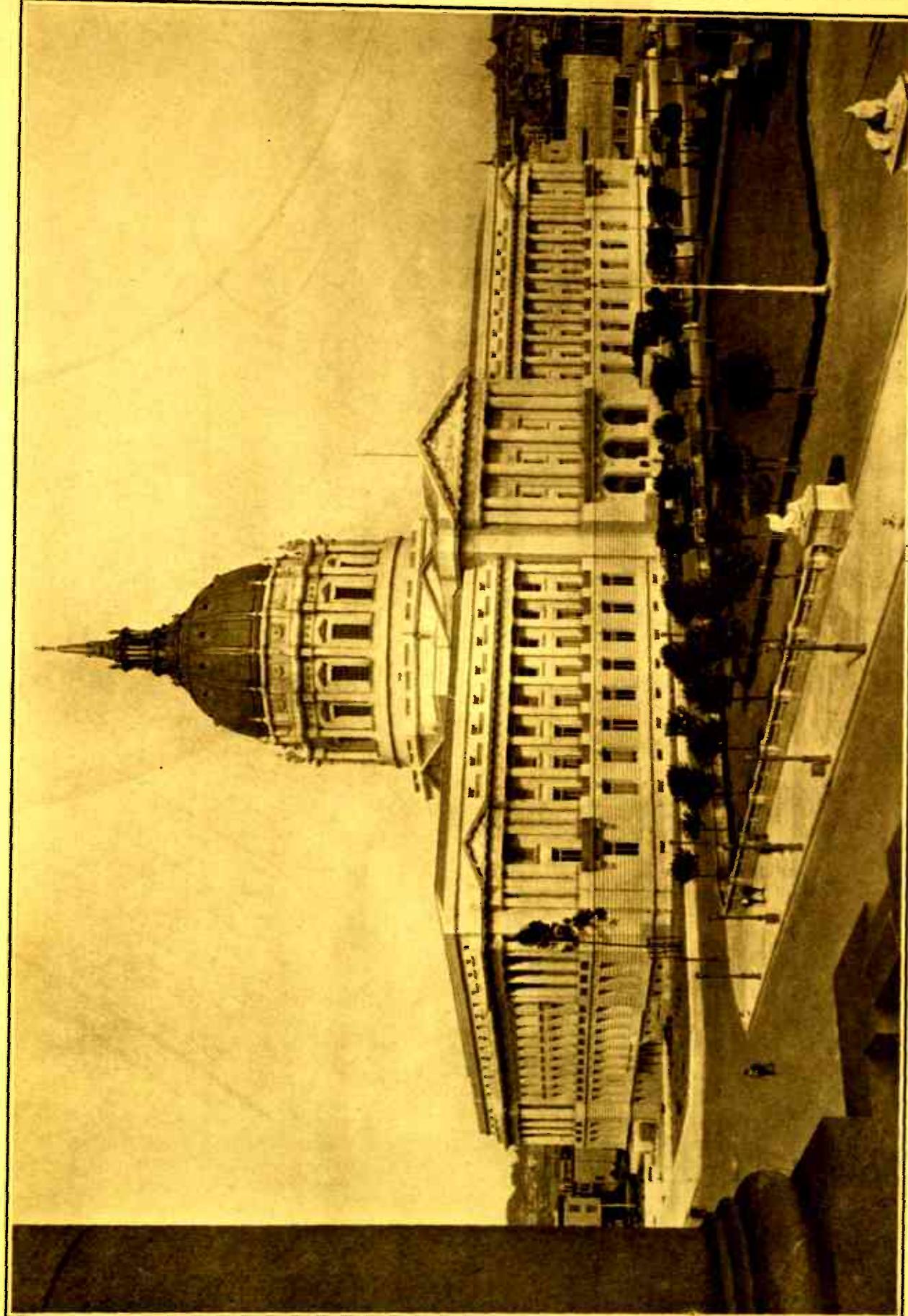
A BIRDSEYE VIEW OF THE SAN FRANCISCO CIVIC CENTER AS ORIGINALLY PROPOSED.

JOHN GALEN HOWARD, FREDERICK H. MEYER, JOHN REID, JR.
Consulting Architects to the Board of Public Works, San Francisco.

As now developed the positions of the Library and proposed Opera House are reversed, the Library being in course of construction at the northeast corner of the Civic Center. The indicated design of the State Building, above, is not intended to influence competitors in any way.

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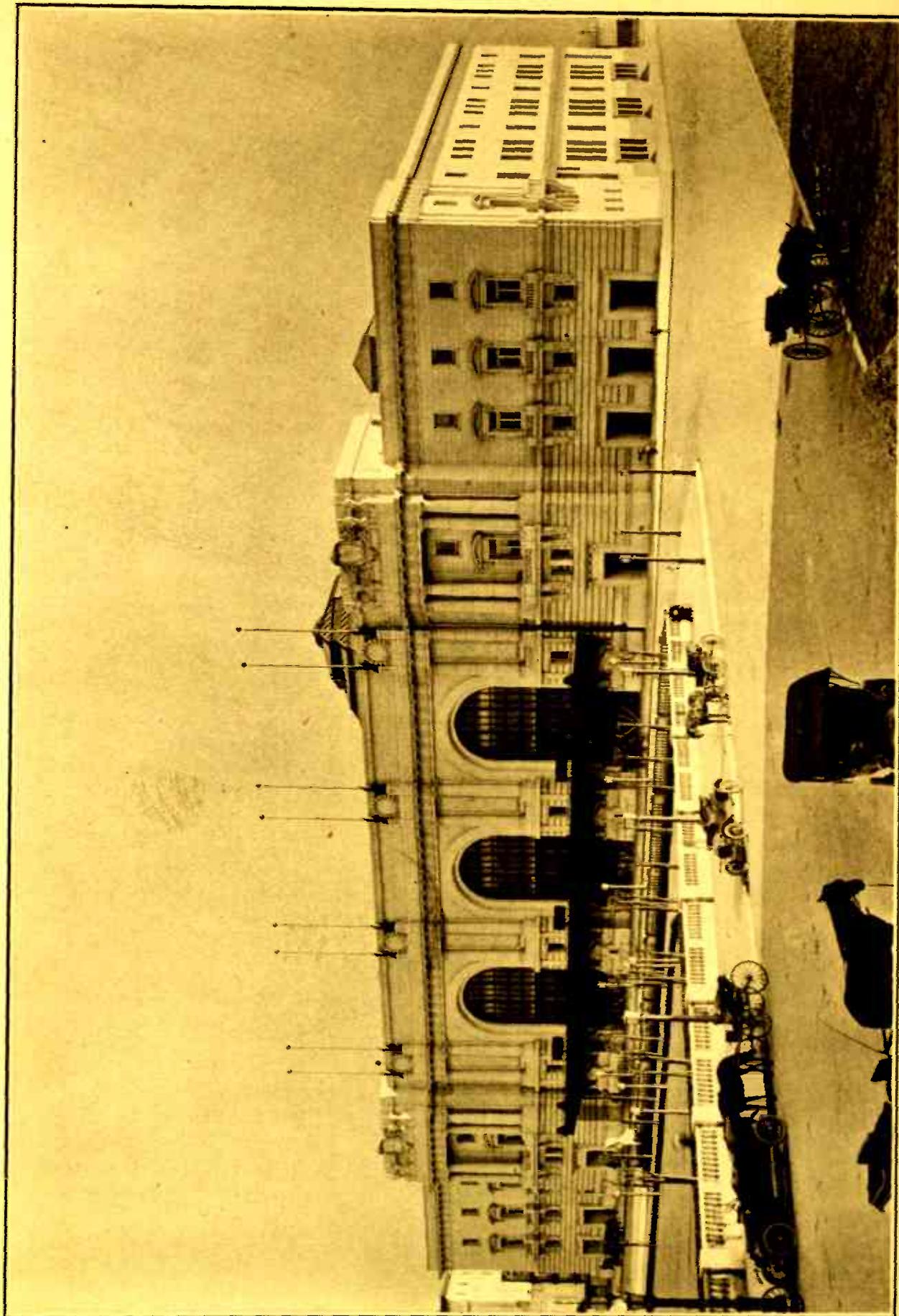
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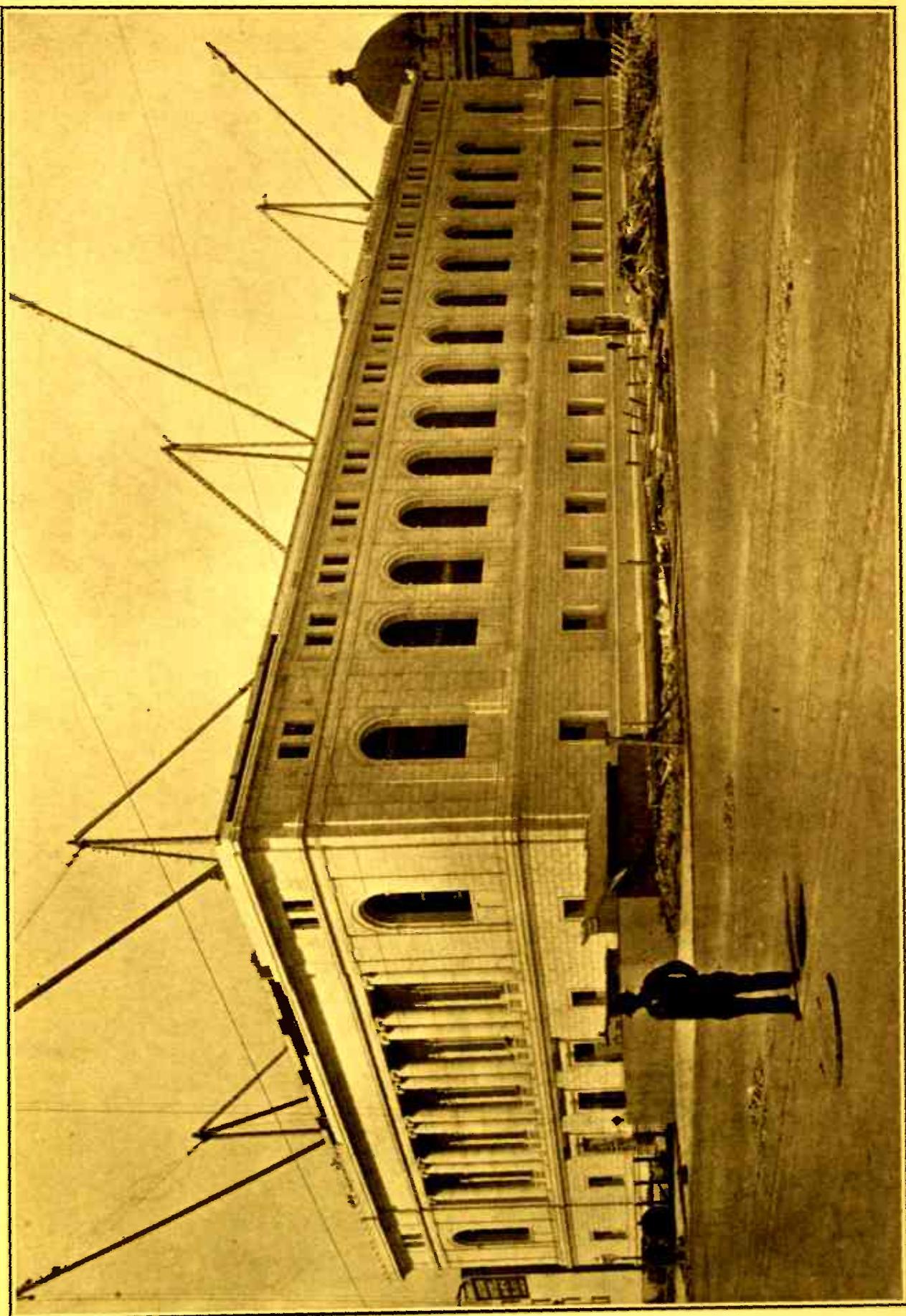
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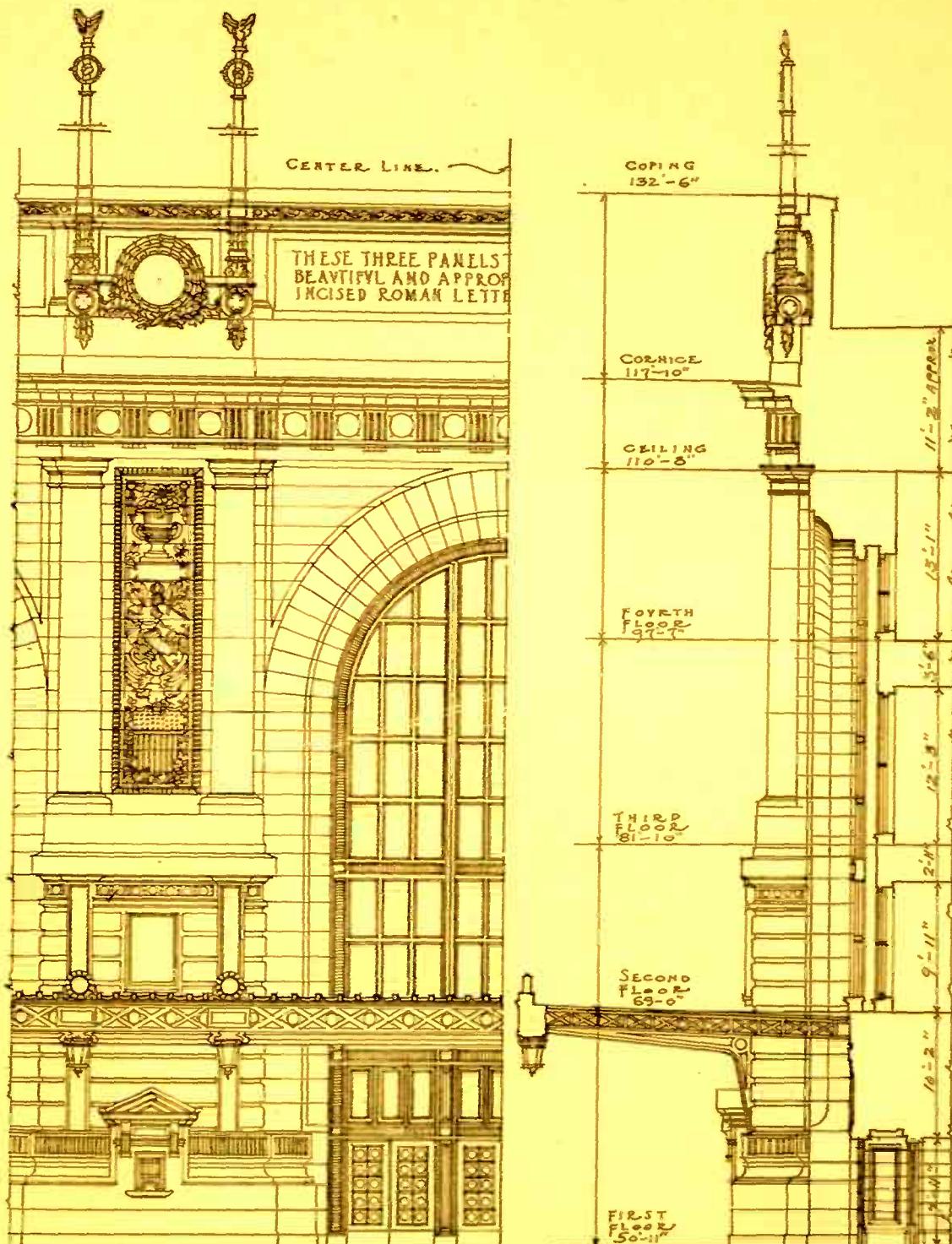
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PUBLIC LIBRARY

THE WILSON
LIBRARY



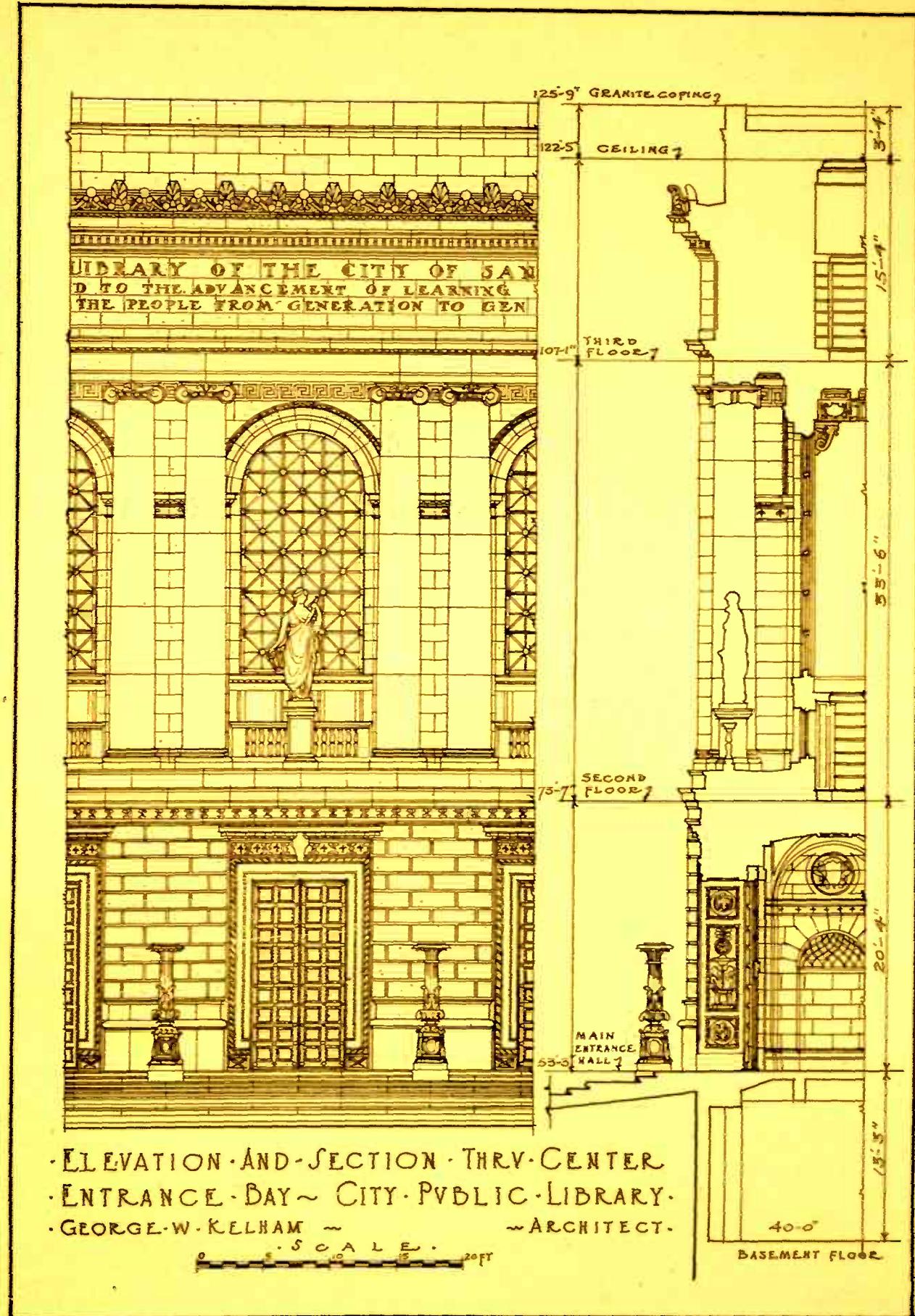
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JOHN GALEN HOWARD CONSULTING ARCHITECTS
FREDERICK H. MEYER TO THE BOARD OF PUBLIC
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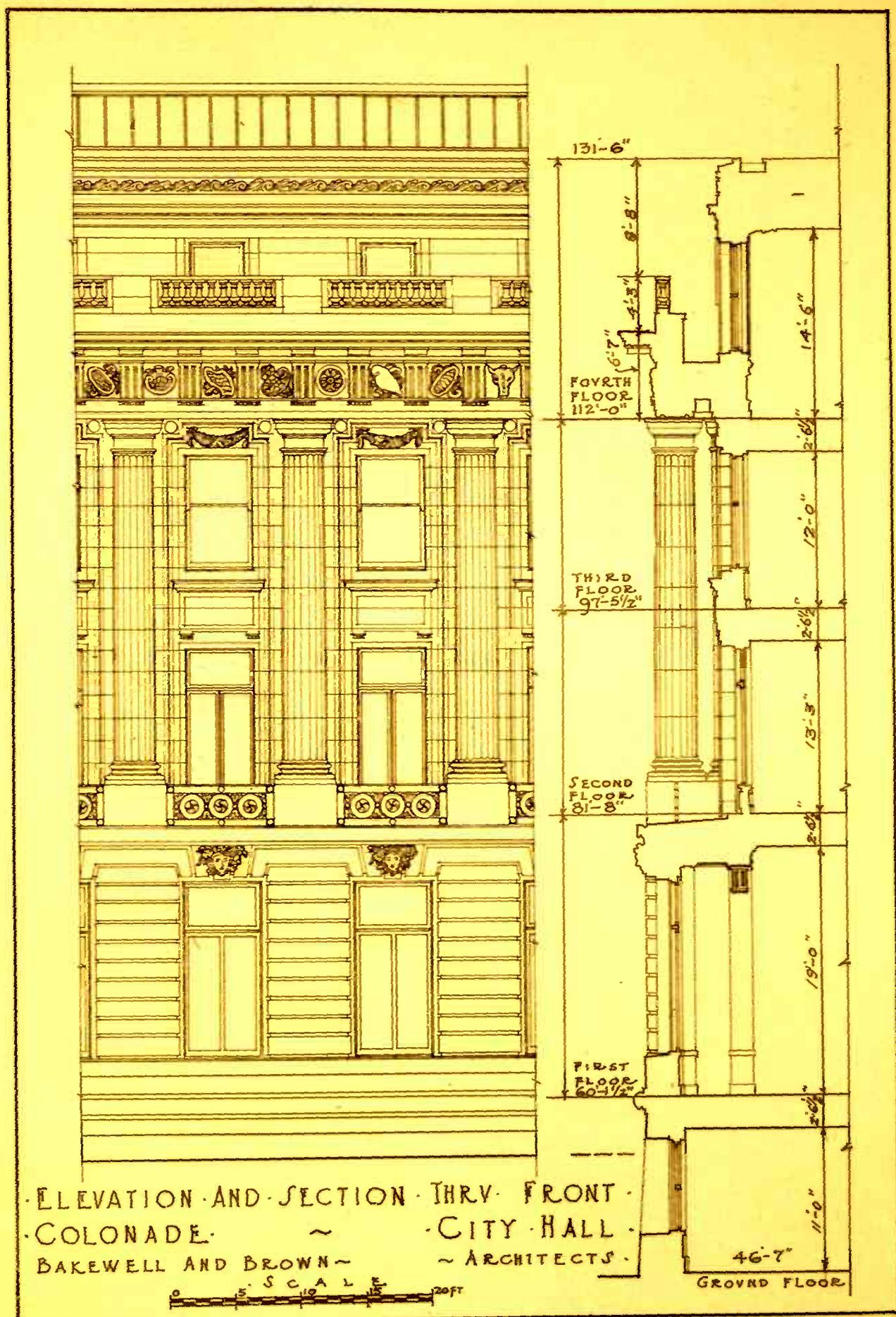


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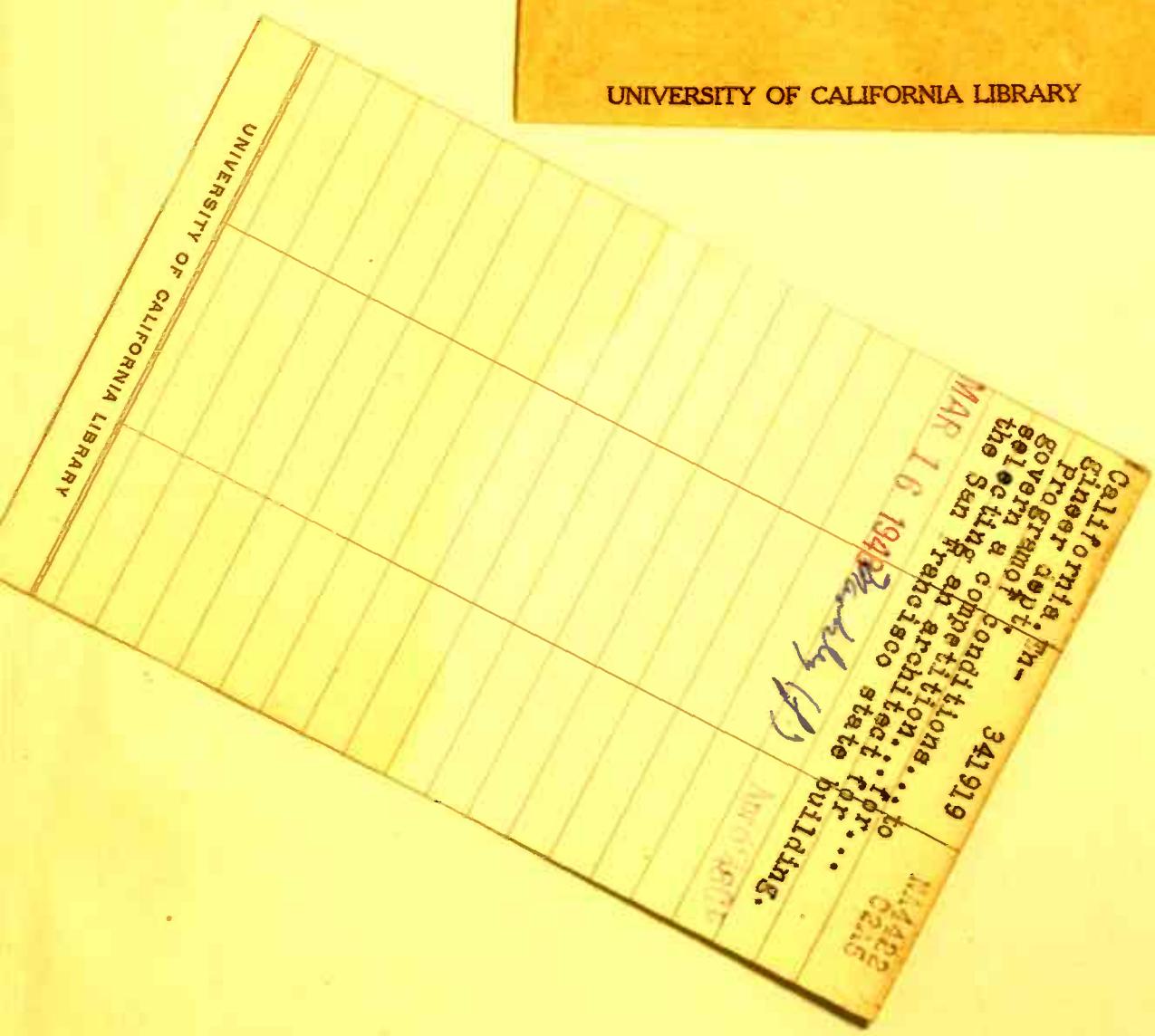
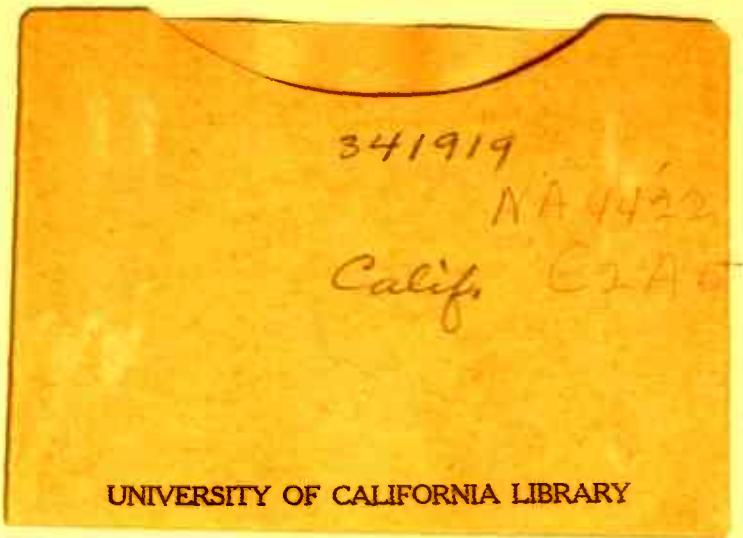
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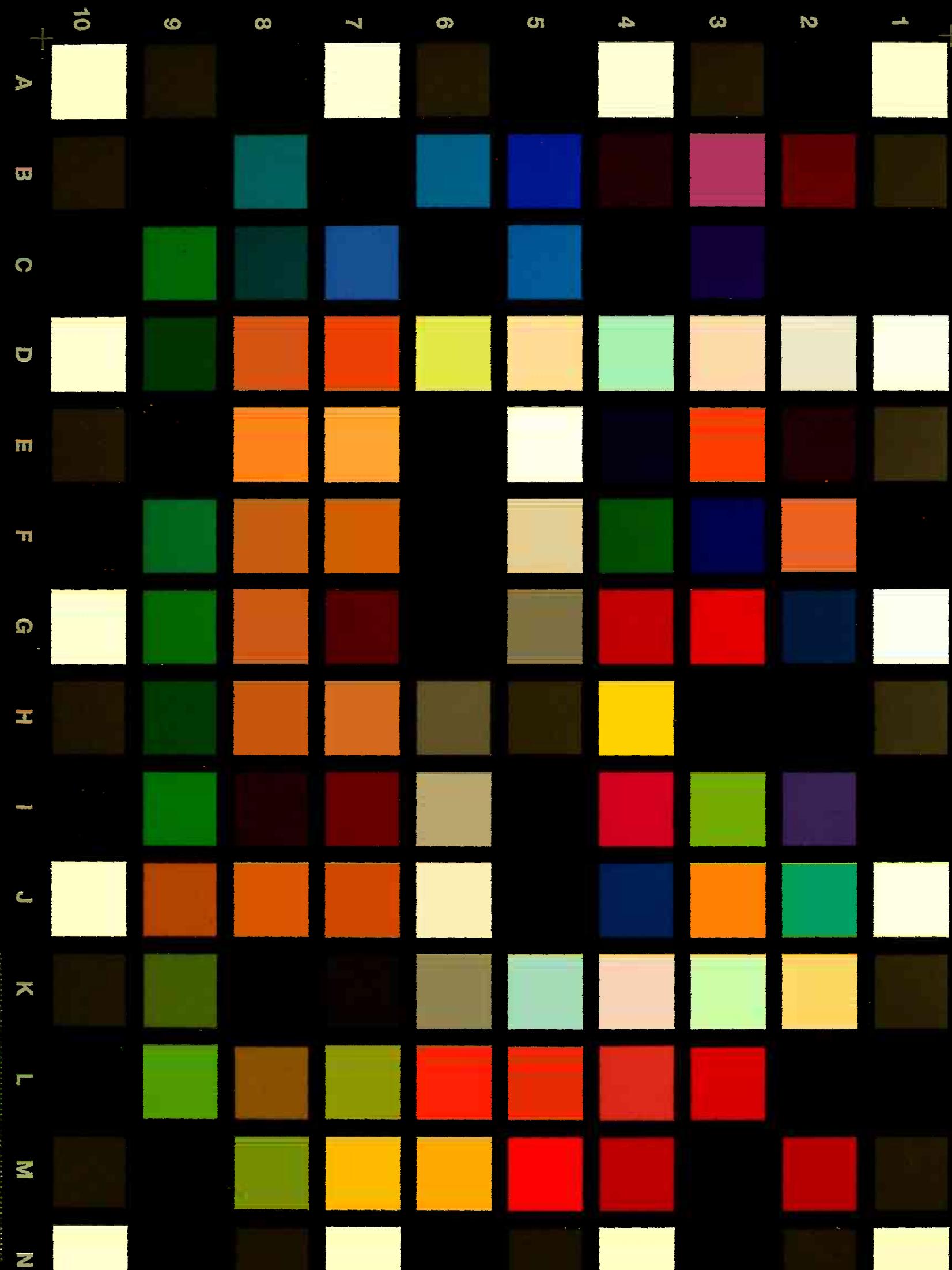
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